

SENATE BILL NO. 31—COMMITTEE ON
HEALTH AND HUMAN SERVICES

(ON BEHALF OF THE DIVISION OF PUBLIC
AND BEHAVIORAL HEALTH)

PREFILED DECEMBER 20, 2014

Referred to Committee on Health and Human Services

SUMMARY—Revises provisions relating to detoxification technicians, facilities and programs. (BDR 40-329)

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

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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 substance abuse; transferring the authority to adopt certain regulations relating to certification of detoxification technicians, facilities and programs from the Division of Public and Behavioral Health of the Department of Health and Human Services to the State Board of Health; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Existing law requires the Division of Public and Behavioral Health of the
 - 2 Department of Health and Human Services to adopt regulations that prescribe the
 - 3 requirements for continuing education for persons certified as detoxification
 - 4 technicians. The regulations adopted by the Division may also prescribe the fees for
 - 5 the certification of detoxification technicians, facilities or programs. (NRS 458.025)
 - 6 This bill transfers the authority to adopt such regulations from the Division to the
 - 7 State Board of Health.
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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 449.00455 is hereby amended to read as follows:

449.00455 “Facility for the treatment of abuse of alcohol or drugs” means any public or private establishment which provides residential treatment, including mental and physical restoration, of abusers of alcohol or drugs and which is certified by the Division pursuant to *paragraph (d) of* subsection ~~44~~ **1** of NRS 458.025. It does not include a medical facility or services offered by volunteers or voluntary organizations.

Sec. 2. NRS 458.025 is hereby amended to read as follows:
458.025 **1.** The Division:

~~1~~ **(a)** Shall formulate and operate a comprehensive state plan for alcohol and drug abuse programs which must include:

~~1~~ **(1)** A survey of the need for prevention and treatment of alcohol and drug abuse, including a survey of the facilities needed to provide services and a plan for the development and distribution of services and programs throughout this State.

~~1~~ **(2)** A plan for programs to educate the public in the problems of the abuse of alcohol and other drugs.

~~1~~ **(3)** A survey of the need for persons who have professional training in fields of health and other persons involved in the prevention of alcohol and drug abuse and in the treatment and recovery of alcohol and drug abusers, and a plan to provide the necessary treatment.

➤ In developing and revising the state plan, the Division shall consider, without limitation, the amount of money available from the Federal Government for alcohol and drug abuse programs and the conditions attached to the acceptance of that money, and the limitations of legislative appropriations for alcohol and drug abuse programs.

~~2~~ **(b)** Shall coordinate the efforts to carry out the state plan and coordinate all state and federal financial support of alcohol and drug abuse programs in this State.

~~3~~ **(c)** Must be consulted in the planning of projects and advised of all applications for grants from within this State which are concerned with alcohol and drug abuse programs, and shall review the applications and advise the applicants concerning the applications.

~~4~~ **(d)** Shall certify or deny certification of detoxification technicians or any facilities or programs on the basis of the standards established by the ~~Division~~ **Board** pursuant to this section, and publish a list of certified detoxification technicians,



1 facilities and programs. Any detoxification technicians, facilities or
2 programs which are not certified are ineligible to receive state and
3 federal money for alcohol and drug abuse programs.

4 *(e) Upon request from a facility which is self-supported, may*
5 *certify the facility, its programs and detoxification technicians and*
6 *add them to the list described in paragraph (d).*

7 **2.** The ~~[Division]~~ *State Board of Health* shall adopt
8 regulations. The regulations:

9 (a) Must prescribe the requirements for continuing education for
10 persons certified as detoxification technicians; and

11 (b) May prescribe the fees for the certification of detoxification
12 technicians, facilities or programs. A fee prescribed pursuant to this
13 paragraph must be calculated to produce the revenue estimated to
14 cover the costs related to the certifications, but in no case may a fee
15 for a certificate exceed the actual cost to the Division of issuing the
16 certificate.

17 ~~[5.—Upon request from a facility which is self-supported, may~~
18 ~~certify the facility, its programs and detoxification technicians and~~
19 ~~add them to the list described in subsection 4.]~~

20 **Sec. 3.** Notwithstanding the amendatory provisions of this act
21 transferring the authority to adopt regulations from the Division of
22 Public and Behavioral Health of the Department of Health and
23 Human Services to the State Board of Health, any regulations
24 adopted by the Division pursuant to NRS 458.025 before July 1,
25 2015, remain in effect and may be enforced by the Division until the
26 Board adopts regulations to repeal or replace those regulations.

27 **Sec. 4.** This act becomes effective on July 1, 2015.

