



JIM GIBBONS
Governor

STATE OF NEVADA
DEPARTMENT OF HEALTH AND HUMAN SERVICES
AGING AND DISABILITY SERVICES DIVISION

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MICHAEL WILLDEN
Director

CAROL SALA
Administrator

NOTICE OF INTENT TO ACT UPON A REGULATION

**Notice of Hearing for the Adoption and/or Amendment
Of Regulations of the Aging and Disability Services Division**

Name of Organization: Aging and Disability Services Division
Department of Human Resources

Date and Time of Hearing: Thursday, June 24, 2010
1:00 p.m.

Place of Hearing: Legislative Building
401 South Carson Street, Room 3137
Carson City

Videoconferenced to:
Grant Sawyer State Office Building
555 East Washington Avenue, Room 4406
Las Vegas

Videoconferenced to:
Northeastern Nevada Regional Hospital
2001 Errecart Boulevard
Elko 89801

The purpose of the hearing is to receive comments from all interested persons regarding the adoption and/or amendment of regulations that pertain to chapter 427A of the Nevada Administrative Code.

The following information is provided pursuant to the requirements of NRS 233B.0603:

PROGRAM TO PROVIDE COMMUNITY-BASED SERVICES TO FRAIL ELDERLY PERSONS – R0180-10

1. Revisions reflect current practices and refine the language of the regulation.

2. Services are defined, eligibility requirements are re-defined, and the number of services available under the program is reduced.
3. There is estimated to be no economic effect of the changes in the regulations on either businesses or persons. Small business impact statements available.
4. There is estimated to be no cost to the agency for enforcement of the proposed regulation.
5. The amendments do not duplicate or overlap any existing state or federal regulation.
6. There are no new or increased fees as a result of these amendments.

ADVOCATES FOR RESIDENTS OF FACILITIES FOR LONG-TERM CARE R017-10

1. Addition to regulations to reflect changes in statute from 2009 Legislature.
2. Includes following changes:
 - a. Definitions
 - b. Role of Ombudsman during discharge process
 - c. Number of visits to facilities
 - d. Certification of Ombudsman and Advocates
 - e. Residents' councils and family councils
 - f. Volunteer advocates
 - g. Requirement of facilities to post Ombudsman information
3. There is estimated to be no economic effect of the changes in the regulations on either businesses or persons. Small business impact statements available.
4. There is estimated to be no cost to the agency for enforcement of the proposed regulation.
5. The amendments do not duplicate or overlap any existing state or federal regulation.
6. There are no new or increased fees as a result of these amendments.

PROGRAM TO PROVIDE SERVICES TO PERSONS WITH PHYSICAL DISABILITIES R024-10

1. Revisions reflect changes in statute from 2009 Legislature and refining of language.
2. "Financial assistance" is changed to "services." Services are available through the Division or through contracted agencies. Waiting list priorities are changed. Removed requirement of an outside review team to determine eligibility.
3. There is estimated to be no economic effect of the changes in the regulations on either businesses or persons. Small business impact statements available.
4. There is estimated to be no cost to the agency for enforcement of the proposed regulation.
5. The amendments do not duplicate or overlap any existing state or federal regulation.
6. There are no new or increased fees as a result of these amendments.

REGISTRY OF HOUSING FOR NEVADANS WITH DISABILITIES R010-10

1. Revisions reflect changes in statute from 2009 Legislature.

2. Includes following changes:
 - a. Definitions
 - b. Information required for inclusion on registry
 - c. Timing and form of reports
 - d. Required certification of report
3. There is estimated to be no economic effect of the changes in the regulations on either businesses or persons. Small business impact statements available.
4. There is estimated to be no cost to the agency for enforcement of the proposed regulation.
5. The amendments do not duplicate or overlap any existing state or federal regulation.
6. There are no new or increased fees as a result of these amendments.

INTERMEDIARY SERVICE ORGANIZATIONS TO PROVIDE PERSONAL CARE IN THE HOME R197-09

1. Changes in regulation reflect current practices..
2. Describes the appeal process.
3. There is estimated to be no economic effect of the changes in the regulations on either businesses or persons. Small business impact statements available.
4. There is estimated to be no cost to the agency for enforcement of the proposed regulation.
5. The amendments do not duplicate or overlap any existing state or federal regulation.
6. There are no new or increased fees as a result of these amendments.

Persons wishing to comment upon the proposed action of the Aging and Disability Services Division may appear at the scheduled public hearing or may address their comments, data, views or arguments in written form to:

Aging and Disability Services Division
Carol Sala, Administrator
3416 Goni Road, #132
Carson City NV 89706

Written submissions must be received by the Aging and Disability Services Division on or before **June 23, 2010**. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Aging and Disability Services Division may proceed immediately to act upon any written submissions.

A copy of this notice and the regulations to be adopted and/or amended will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be adopted and/or amended will be available at each office of the agency (listed below) and in all counties in which an office of the agency is not maintained, at the main public

library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the Internet at <http://www.leg.state.nv.us/>. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

This notice of hearing has been posted at the following locations: