



Joe Lombardo  
Governor

**NEVADA HEALTH AUTHORITY**  
**HEALTH CARE PURCHASING AND COMPLIANCE DIVISION**

NVHA.NV.GOV



Stacie Weeks  
Director

Cynthia Leech  
Administrator

**Notice of Hearing for the Amendment of Regulations of the Board of Health**

**NOTICE OF INTENT TO ACT UPON A REGULATION**

LCB File No. R116-25

Nevada Administrative Code (NAC) Chapter 449

NOTICE IS HEREBY GIVEN the State Board of Health will hold a public hearing to consider proposed amendments to Nevada Administrative Code (NAC). These amendments are proposed as the result of the passage of Senate Bill 260 (2023 Legislative Session) and Senate Bills 514 and 544 (2025 Legislative Session) and are authorized pursuant to NAC 449.0302 and NRS 439.150. The public hearing is to be held in conjunction with the State Board of Health meeting on June 5, 2025.

The State Board of Health will be conducted via video conference beginning at 9:00 am on June 5, 2026, at the following locations:

**Physical Locations**

Division of Public and Behavioral Health  
Hearing Room 303  
4150 Technology Way  
Carson City, NV 89706

Southern Nevada Health District  
Red Rock Trail Rooms A & B  
208 S. Decatur Blvd.  
Las Vegas, NV 89107

**Virtual Information Meeting Link:**

**Microsoft Teams**

[https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_OTUwY2Q2NGQtNjJiYS00NGU2LWI1NjltMjcyMGJjNWU3NDcx%40thread.v2/0?context=%7b%22id%22%3a%22e4a340e6-b89e-4e68-8eaa-1544d2703980%22%2c%22oid%22%3a%22768e443d-3be6-48f0-9bb0-7e72f1276b8d%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_OTUwY2Q2NGQtNjJiYS00NGU2LWI1NjltMjcyMGJjNWU3NDcx%40thread.v2/0?context=%7b%22id%22%3a%22e4a340e6-b89e-4e68-8eaa-1544d2703980%22%2c%22oid%22%3a%22768e443d-3be6-48f0-9bb0-7e72f1276b8d%22%7d)

Meeting ID: 267 811 624 273 39

Please Note: If you are experiencing technical difficulties connecting online, please call into the meeting to participate by phone.

**Join By Phone:**

Call in number: 775-321-6111

Conference Id: 239 762 069#

LCB File No. R116-25 addresses the following main topics:

- Establishes requirements for a new facility type, Rehabilitative Residential Mental Health Care Facility, as authorized by Assembly Bill 514 (2025).
- Defines standards for administration, staffing, training, quality improvement, emergency preparedness, infection control, and resident care for these facilities.
- Establishes specific requirements for facilities serving adults and minors, including admission policies and the separation of operations.
- Modifies license renewal dates for all facilities licensed under NAC Chapter 449, as authorized by Assembly Bill 544 (2025).
- Establishes new licensing and renewal fees for rehabilitative residential mental health care facilities.
- Modifies regulations governing businesses that provide referrals under NAC 449.0061, 449.27817 and 449.27829.

**1. Anticipated effects on the businesses regulated by the proposed regulations:**

**A. Adverse Effects:**

- With the establishment of any new fees, there's a potential that prospective business operators will be discouraged from opening those businesses. However, the fees are necessary to assure the regulatory agency can perform its responsibilities to properly regulate facilities.
- There are no anticipated direct adverse effects on the industry or businesses.

**B. Beneficial Effects:**

- Establishing standards for Rehabilitative Residential Mental Health Care facilities will allow licensure and enrollment with Medicaid such that entities may legitimately operate and provide these services within the industry.
- A new applicant for a health facility license will receive the initial license valid for an entire year and would not be required to renew until the anniversary date the following year. Previously, applicants would receive an initial license valid only until December 31<sup>st</sup> of the year in which the license was issued (partial year validity) in the first year of licensure.
- Changes to NAC 449.0061, NAC 449.27817 and NAC 449.27829, should remove barriers for referral agencies and allow them to perform services with more options for reimbursement.

C. *Immediate effects:*

- *The financial impacts, both adverse and beneficial, would be immediate upon passage of the proposed regulations.*

D. *Long-term effects:*

- *The long-term impacts, both adverse and beneficial, would continue for the long term until such time as the proposed regulations are amended in a manner that would change the impact.*

**2. Anticipated effects on the public:**

A. Adverse effects:

- There are no anticipated adverse effects to the public.

B. Beneficial effects:

- Increased number of service providers.

C. Immediate effects:

- The beneficial impacts may not be realized immediately because it will take time to license new providers.

D. Long-Term effects:

- The beneficial impacts would remain long-term as facilities become licensed to provide these services.

On January 13, 2026, the Health Care Purchasing and Compliance Division solicited information regarding the impact of these regulations on small businesses through a questionnaire sent to all licensed facilities and interested parties. There were only two respondents to the questionnaire. A small business impact statement was generated and signed on March 24, 2026. On April 28, 2026, a public workshop was conducted to solicit public comments regarding these regulations. The public posting for the workshop included copies of the notice, LCB File #116-25 and errata and the small business impact statement. The notice for the workshop was posted on Health Care Quality and Compliance website. The workshop had several public attendees, but no public comments were made regarding these regulations.

**3. Costs associated with the changes:**

- The estimated cost for the Division to enforce the proposed regulations will be negligible. The fees noted would be used to pay for the cost of enforcement of the proposed regulations.
- The total annual amount DPBH expects to collect is unknown because there is no way to determine if any of the above-mentioned facilities will apply for a license. Regardless, the

money collected would be used to cover the Division's operating costs related to the work associated with enforcement of these regulations.

#### **4. Comparison of state proposed regulations to federal regulations:**

- The proposed regulations are not more stringent than the federal regulations and in fact there are no equivalent federal regulations specifically for rehabilitative residential mental health care facilities.
- Enrollment for Medicaid reimbursement is voluntary, but state licensure is mandatory. As such, both federal and state regulations are needed, as there is a possibility that a facility chooses to be state licensed only, in which case the federal regulations would not apply, but the state regulations would apply.

Members of the public may make oral comments at the Board of Health meeting for which these regulations appear on the agenda. Persons wishing to submit written testimony or documentary evidence in excess of two typed, 8-1/2" x 11" pages must submit the material to the Board's Secretary, to be received no later than May 21, 2026, at the following address:

Secretary, State Board of Health  
Division of Public and Behavioral Health  
4150 Technology Way, Suite 300  
Carson City, NV 89706  
[stateBOH@health.nv.gov](mailto:stateBOH@health.nv.gov)

Written comments, testimony, or documentary evidence in excess of two typed pages will not be accepted at the time of the hearing. The purpose of this requirement is to allow Board members adequate time to review the documents.

A copy of the notice and proposed regulations are on file for inspection and/or may be copied at the following locations during normal business hours:

- Nevada Division of Public and Behavioral Health - 4150 Technology Way, Carson City, NV 89706
- Nevada Health Authority – 4070 Silver Sage Dr. Carson City, NV 89701
- Nevada Health Authority – 9850 Double R Blvd., Suite 200, Reno, NV 89521
- Nevada Health Authority, Bureau of Health Care Quality and Compliance – 727 Fairview Dr., Suite E, Carson City, NV 89701
- Nevada Health Authority, Bureau of Health Care Quality and Compliance – 500 E Warm Springs Rd., Suite 200, Las Vegas, NV 89119
- Nevada State Library and Archives – 100 Stewart Street, Carson City, NV, 89701
- Southern Nevada Health District Red Rock Trail Rooms A & B – 208 S. Decatur Blvd., Las Vegas, NV 89107

A copy of the regulations and small business impact statement can be found online by going to:  
<https://www.hcqc.nv.gov/notices/>

A copy of the public hearing notice can also be found at Nevada Legislature's web page:  
<https://www.leg.state.nv.us/App/Notice/A/>

Copies may be obtained in person, by mail, or by calling the Bureau of Health Care Quality and Compliance at:

Bureau of Health Care Quality and Compliance 727 Fairview Drive, Suite E  
Carson City, NV 89701  
(775) 684-1030  
[PIO@nvha.nv.gov](mailto:PIO@nvha.nv.gov)

Copies may also be obtained from the Nevada State Library at the address listed below:

Nevada State Library & Archives  
100 N. Stewart Street  
Carson City, NV 89701

Per NRS 233B.064(2), upon adoption of any regulation, the agency shall, if requested by an interested person, either prior to adoption or within 30 days thereafter, issue a concise statement of the principal reasons for and against its adoption, and include the agency's reasons for overruling the consideration urged against its adoption.