

NOTICE OF WORKSHOP TO SOLICIT COMMENTS ON PROPOSED REGULATION

The Nevada State Board of Nursing will hold a public workshop on Tuesday, December 19, 2017 beginning at 9:00 a.m. This workshop will be held via videoconference between the Nevada State Board of Nursing's Reno office located at 5011 Meadowood Mall Way, Suite 300, Reno, Nevada 89502 and the Las Vegas office located at 4220 Maryland Parkway, Building B, Suite 300, Las Vegas, Nevada 89119. The Nevada State Board of Nursing is proposing the Adoption, Amendment, and the Repeal of regulations pertaining to chapter 632 of the Nevada Administrative Code. The purpose of the workshop is to solicit comments from interested persons on the general topics on the following general topics that may be addressed in the proposed regulations:

- Training necessary for an Advanced Practice Registered Nurse to be authorized to complete certain evaluations, examinations, petitions and certificates concerning the mental condition of certain persons
- Establishing an advisory committee concerning the practice of licensed practical nurses
- Revising the duties and membership of the advisory committee concerning certain issues relating to impairment and substance

A copy of all materials relating to the proposal may be obtained at the workshop, on the Board's website, or by contacting the Nevada State Board of Nursing located at: 5011 Meadowood Mall Way, Suite 300, Reno, Nevada 89502 or 4220 Maryland Parkway, Building B, Suite 300, Las Vegas, Nevada 89119. A reasonable fee for copying may be charged.

This Notice of Workshop to Solicit Comments on Proposed Regulation has been sent to all persons on the agency's mailing list for administrative regulations and posted at the following locations:

www.nevadanursingboard.org
Nevada State Board of Nursing - Reno and Las Vegas
Court Houses in Washoe, White Pine, Carson City, Clark, Mineral,
and Elko Counties
Main Libraries in all 17 Nevada Counties

DATE: December 1, 2017

NRS 233B.0609 Small Business Impact Statement
Nevada State Board of Nursing
LCB File No. R125-17

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) Chapter 632.

Pursuant to NRS 233B.0609(1), a small business impact statement prepared pursuant to NRS 233B.0608 must set forth the following information:

(a) A description of the manner in which comment was solicited from affected small businesses, a summary of their response and an explanation of the manner in which other interested persons may obtain a copy of the summary.

The methods used in determining the impact of the proposed regulation on small businesses was to discuss the matter with key stakeholders. The proposed regulation seeks to add an advisory committee to the Nevada State Board of Nursing (Board) regarding the practice of Licensed Practical Nurses (LPN). Additionally, the regulation seeks to amend the duties of an existing advisory committee.

An LPN license is granted to one individual, and generally speaking, LPNs may not work under that license independently, so it may be argued that one individual LPN is not a small business. However, it is also discuss that LPNs may be employed by a small business as defined by NRS 233B.0832. The general consensus amongst the stakeholders in that adding an advisory committee would increase the visibility of LPNs and by doing so, increase the education and employment opportunities of the individual LPNs, which would be a benefit to small businesses.

The proposed regulation will also revise the duties and membership of an existing Board advisory committee. The consensus is the revision of the duties and membership will have an effect on the advisory committee volunteer members and will have no effect on small businesses.

An explanation of how an interested person may obtain a copy of the summary of public response would be to go to the Nevada State Board of Nursing's physical offices located at 5011 Meadowood Mall Way, Suite 300, Reno, Nevada, 89502, and at 4220 S. Maryland Parkway, Building B, Suite 300, Las Vegas, NV 89119 or go to the NSBN website.

(b) The manner in which the analysis was conducted.

The analysis of possible impact on small businesses was conducted by key stakeholders in the Nevada Nursing population, as well as discussed at existing Board advisory committee meetings.

(c) The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, including, without limitation:

(1) Both adverse and beneficial effects; and

The Board does not regulate small businesses, but does issue nursing licenses to individuals who might work for small businesses. The proposed regulations do not increase, decrease, or alter in any way alter the requirements for nursing licensure in Nevada. Therefore, arguably, there are no adverse or beneficial effects on small business.

The establishment of a new advisory committee and the revision of the duties and membership of an existing advisory committee will impact the individual nurses who volunteer to sit on the advisory committees. The goal of the proposed regulations is to increase the visibility and education opportunities of the individual LPNs, which would benefit small businesses

(2) Both direct and indirect effects.

The direct and indirect effect of the proposed regulation is the Board would be better advised by a new and a revised advisory committee. A better advised Board can only result in better Board decisions, better nurses, and therefore, better nursing care. Better nursing care and providing better health care will result in the better health of Nevada citizens. This will have a positive direct and indirect effect on the efficiencies on small businesses.

(d) A description of the methods that the agency considered to reduce the impact of the proposed regulation on small businesses and a statement regarding whether the agency actually used any of those methods.

The proposed regulations will have no impact on small businesses.

(e) The estimated cost to the agency for enforcement of the proposed regulation.

There is no cost to the Nevada State Board of Nursing for enforcement of the proposed regulation.

(f) If the proposed regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

There is no new fee or increase to an existing fee, and the Nevada State Board of Nursing does not expect to collect any amount of money under the proposed regulation.

(g) If the proposed regulation includes provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, an explanation of why such duplicative or more stringent provisions are necessary.

The proposed regulation does not include any provisions which duplicate or are more stringent than federal, state, or local standards regulating the same activity.

(h) The reasons for the conclusions of the agency regarding the impact of a regulation on small businesses.

The reasons for the conclusion of the Nevada State Board of Nursing regarding the determination the proposed regulation are not likely to impose a direct and significant economic burden upon a small business and/or directly restrict the formation, operation or expansion of a small business is that the purposes of the proposed regulation: to establish a new Board advisory committee and to revise the duties and membership of an existing advisory committee will not increase, decrease, or alter in any way alter the requirements for nursing licensure in Nevada.

I hereby certify that to the best of my knowledge or belief the information contained in the statement is prepared properly and is accurate.

Cathy Dinauer, MSN RN

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NRS 233B.0609 Small Business Impact Statement
Nevada State Board of Nursing
LCB File No. R126-17

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) Chapter 632.

Pursuant to NRS 233B.0609(1), a small business impact statement prepared pursuant to NRS 233B.0608 must set forth the following information:

(a) A description of the manner in which comment was solicited from affected small businesses, a summary of their response and an explanation of the manner in which other interested persons may obtain a copy of the summary.

It should be noted the motivation for the amendments to the regulation began with the passage of Senate Bill 227 at the 2017 Nevada Legislature. Senate Bill 227 required an amendment to a regulation that was created during the 2015 Nevada Legislature that concerned similar Advanced Practice Registered Nursing training and education. Thus, Senate Bill 227 required the amendment of LCB File No. R105-15. The methods utilized today are the same methods used in 2015 in determining the impact of the proposed regulation on small businesses, and that was to discuss the matter with key stakeholders. On one hand, the proposed regulation only concerns training and experience of an individual APRN. On the other hand, an individual APRN may be employed by a small business as defined by NRS 233B.0832. The consensus is that an individual APRN may require additional training and experience under the proposed regulation, but once qualified, the APRN will have greater opportunities in the world of mental health. Additionally, by adding APRNs to the list of persons who can make certain certifications, the overall efficiency of mental health facilities will improve (regarding admission and discharge of patients), which will save those mental health facilities money.

An explanation of how an interested person may obtain a copy of the summary of public response would be to go to the Nevada State Board of Nursing's physical offices located at 5011 Meadowood Mall Way, Suite 300, Reno, Nevada, 89502, and at 4220 S. Maryland Parkway, Building B, Suite 300, Las Vegas, NV 89119 or go to the NSBN website.

(b) The manner in which the analysis was conducted.

The analysis of possible impact on small businesses was conducted by key stakeholders in the State Health Department, the Nevada Legislature, and Advanced Practice Registered Nurses in the workforce.

(c) The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, including, without limitation:

(1) Both adverse and beneficial effects; and

On one hand, the proposed regulation only concerns training and experience of an individual APRN. Therefore, arguably, there is no adverse or beneficial effect on small business. On the other hand, an individual APRN may be employed by a small business as defined by NRS 233B.0832. The consensus is that an individual APRN may require additional training and experience under the proposed regulation, but once qualified, the APRN will have greater practice opportunities in the world of mental health. Additionally, by adding APRNs to the list of persons who can make certain certifications, the overall efficiency of mental health facilities will improve (regarding admission and discharge of patients), which will save those mental health facilities money.

(2) Both direct and indirect effects.

The direct and indirect effect of the proposed regulation is that APRNs now have a greater practice capabilities (with proper training and experience) and the facilities will have more qualified persons with which to make determinations about the status of certain patients. This will have a positive direct and indirect effect on the efficiencies on these small businesses.

(d) A description of the methods that the agency considered to reduce the impact of the proposed regulation on small businesses and a statement regarding whether the agency actually used any of those methods.

The proposed regulations will have no impact on small businesses.

(e) The estimated cost to the agency for enforcement of the proposed regulation.

There is no cost to the Nevada State Board of Nursing for enforcement of the proposed regulation.

(f) If the proposed regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

There is no new fee or increase to an existing fee, and the Nevada State Board of Nursing does not expect to collect any amount of money under the proposed regulation.

(g) If the proposed regulation includes provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, an explanation of why such duplicative or more stringent provisions are necessary.

The proposed regulation does not include any provisions which duplicate or are more stringent than federal, state, or local standards regulating the same activity.

(h) The reasons for the conclusions of the agency regarding the impact of a regulation on small businesses.

The reasons for the conclusion of the Nevada State Board of Nursing regarding the determination the proposed regulation are not likely to impose a direct and significant economic burden upon a small business and/or directly restrict the formation, operation or expansion of a small business is that the purposes of the proposed regulation: to comply with a legislative mandate, the possible expense to individual APRNs for training and experience is counter balanced by a more efficient delivery of health care in the area of mental health by adding an additional provider to make certain certifications

I hereby certify that to the best of my knowledge or belief the information contained in the statement is prepared properly and is accurate.

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