GENERAL REQUIREMENTS FOR LICENSURE

NAC 449.0114 Display of license; compliance with law; transfer of real property; change in administrator, ownership, location or services. (NRS 449.037, 449.050)

1. Upon receipt of a license, the licensee shall display the license at a conspicuous location within the facility.

2. During the term of the license, the licensee shall continuously maintain the facility in conformance with the provisions of this chapter and chapter 449 of NRS.

3. If there is a transfer of the real property on which the facility is located, but no change in the operator of the facility, the licensee shall, within 10 days, notify the Health Division of the transfer in writing and provide the Health Division with a copy of any lease agreement relating to the transfer.

4. If there is a change in the administrator of the facility, the licensee shall notify the Health Division of the change within 10 days. The notification must provide evidence that the new administrator is currently licensed pursuant to chapter 654 of NRS and the regulations adopted pursuant thereto. If the licensee fails to notify the Health Division and submit an application for a new license within 10 days after the change, the licensee shall pay to the Health Division a fee in an amount equal to 150 percent of the fee required for a new application set forth in subsection 1 of NAC 449.0168.

5. A licensee shall notify the Health Division immediately of any change in the ownership of, the location of, or the services provided at, the facility.

NAC 449.74415 Responsibilities of governing body. (NRS 449.037) A facility for skilled nursing must have a governing body that is legally responsible for establishing and carrying out policies regarding the management and operation of the facility.

NAC 449.74417 Administrator of facility. (NRS 449.037)

1. The governing body of a facility for skilled nursing shall appoint a qualified administrator for the facility.

2. The administrator:

(a) Must be licensed under the provisions of chapter 654 of NRS; and
(b) Is responsible for the management of the facility.

3. A facility for skilled nursing must be administered in a manner that enables it to use its resources effectively and efficiently in order to attain and maintain the highest practicable physical, mental and psychosocial well-being of each patient.

NAC 449.74455 Discrimination prohibited. (NRS 449.037)
1. A patient in a facility for skilled nursing shall not be segregated or restricted in the enjoyment of an advantage or privilege enjoyed by other patients, or provided with any assistance, service or other benefit which is different or provided in a different manner from that provided to other patients, on the ground of race, color, religion, national origin or disability.

NAC 449.74491 Prohibition of certain practices regarding patients; investigation of certain violations and injuries to patients; unfit employees. (NRS 449.037)

1. A facility for skilled nursing shall adopt and carry out written policies and procedures that prohibit:

(a) The mistreatment and neglect of the patients in the facility;
(b) The verbal, sexual, physical and mental abuse of the patients in the facility;
(c) Corporal punishment and involuntary seclusion; and
(d) The misappropriation of the property of the patients in the facility.

2. A facility for skilled nursing shall adopt procedures which ensure that all alleged violations of the policies adopted pursuant to subsection 1 and injuries to patients of unknown origin are reported immediately to the administrator of the facility, to the Bureau and to other officials in accordance with state law, and are thoroughly investigated. The procedures must ensure that further violations are prevented while the investigation is being conducted.

3. The results of any investigation must be reported:

(a) To the administrator of the facility or his designated representative and to the Bureau within 5 working days after the alleged violation is reported.
(b) In the manner prescribed in NRS 200.5093 and 432B.220 and chapter 433 of NRS. The administrator of the facility shall take appropriate action to correct any violation.

4. A facility for skilled nursing:

(a) Shall not employ a person if:

(1) He has been convicted of abusing, neglecting or mistreating a patient; or
(2) A finding that he has abused, neglected, mistreated or misappropriated the property of a patient has been entered in the state nursing assistants registry maintained by the State Board of Nursing.

(b) Shall report to the State Board of Nursing, the Bureau or another appropriate occupational licensing board any judicial action taken against an employee or former employee of the facility which would indicate that the employee is unfit to be employed as a member of the staff of a facility for skilled nursing.

NAC 449.74511 Personnel policies; personnel records. (NRS 449.037)

1. A facility for skilled nursing shall adopt written policies for the personnel employed at the facility.

2. The written policies must:
(a) Include the duties and responsibilities of, and the qualifications required for, each position at the facility;

(b) Include the conditions of employment for each position at the facility;

(c) Include the policies and objectives of the facility related to training while on the job and requirements for continuing education; and

(d) Be periodically reviewed and made available to each employee of the facility.

3. A current and accurate personnel record for each employee of the facility must be maintained at the facility. The record must include, without limitation:

(a) Evidence that the employee has obtained any license, certificate or registration, and possesses the experience and qualifications, required for the position held by the employee;

(b) Such health records as are required by chapter 441A of NAC which include evidence that the employee has had a skin test for tuberculosis in accordance with NAC 441A.375; and

(c) Documentation that the facility has not received any information that the employee has been convicted of a crime listed in paragraph (a) of subsection 1 of NRS 449.188.

4. A facility shall make its personnel records available to the Bureau for inspection upon request.