

NAC 449.0119 Denial, suspension or revocation of license: Appeals. ([NRS 449.037](#), [449.170](#)) An applicant or licensee who is aggrieved by an action of the Health Division relating to the denial, suspension or revocation of a license may appeal pursuant to the procedures set forth in [NAC 439.300](#) to [439.395](#), inclusive.

(Added to NAC by Bd. of Health by R044-97, eff. 10-30-97)

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NAC 449.012 Definitions. ([NRS 449.037](#), [449.038](#)) As used in [NAC 449.012](#) to [449.0168](#), inclusive, unless the context otherwise requires, the words and terms defined in [NAC 449.0121](#) to [449.0127](#), inclusive, have the meanings ascribed to them in those sections.

(Added to NAC by Bd. of Health by R035-97, eff. 10-30-97; A by R229-97, 4-15-98; R052-02 & R063-02, 7-24-2002; R065-04, 8-4-2004)

NAC 449.0121 “Ambulatory surgical center” defined. ([NRS 449.037](#)) “Ambulatory surgical center” has the meaning ascribed to it in [NAC 449.972](#).

(Added to NAC by Bd. of Health by R035-97, eff. 10-30-97)

NAC 449.01215 “Branch office” defined. ([NRS 449.037](#)) “Branch office” has the meaning ascribed to it in [NAC 449.749](#).

(Added to NAC by Bd. of Health by R035-97, eff. 10-30-97)

NAC 449.01225 “Facility for hospice care” defined. ([NRS 449.037](#)) “Facility for hospice care” has the meaning ascribed to it in [NAC 449.0172](#).

(Added to NAC by Bd. of Health by R035-97, eff. 10-30-97; A by R123-99, 11-29-99)

NAC 449.01227 “Facility for refractive laser surgery” defined. ([NRS 449.037](#)) “Facility for refractive laser surgery” has the meaning ascribed to it in [NRS 449.00387](#).

(Added to NAC by Bd. of Health by R052-02, eff. 7-24-2002)

NAC 449.01229 “Facility for treatment with narcotics” defined. ([NRS 449.037](#), [449.038](#)) “Facility for treatment with narcotics” has the meaning ascribed to it in [NAC 449.1542](#).

(Added to NAC by Bd. of Health by R229-97, eff. 4-15-98)—(Substituted in revision for NAC 449.0122)

NAC 449.0123 “Home health agency” defined. ([NRS 449.037](#)) “Home health agency” has the meaning ascribed to it in [NAC 449.749](#).

(Added to NAC by Bd. of Health by R035-97, eff. 10-30-97)

NAC 449.01235 “Home office” defined. ([NRS 449.037](#)) “Home office” has the meaning ascribed to it in [NAC 449.749](#).

(Added to NAC by Bd. of Health by R035-97, eff. 10-30-97)

NAC 449.0124 “Hospice care” defined. ([NRS 449.037](#)) “Hospice care” has the meaning ascribed to it in [NAC 449.0175](#).

(Added to NAC by Bd. of Health by R035-97, eff. 10-30-97)

NAC 449.01245 “Intermediate care facility for the mentally retarded or persons with developmental disabilities” defined. ([NRS 449.037](#)) “Intermediate care facility for the mentally retarded or persons with developmental disabilities” has the meaning ascribed to it in [NAC 449.632](#).

(Added to NAC by Bd. of Health by R035-97, eff. 10-30-97)

NAC 449.0125 “Medication unit” defined. ([NRS 449.037](#), [449.038](#)) “Medication unit” has the meaning ascribed to it in [NAC 449.15435](#).

(Added to NAC by Bd. of Health by R229-97, eff. 4-15-98)

NAC 449.01252 “Mobile unit” defined. ([NRS 449.037](#)) “Mobile unit” has the meaning ascribed to it in [NRS 449.01515](#).

(Added to NAC by Bd. of Health by R063-02, eff. 7-24-2002)

NAC 449.01255 “Nursing pool” defined. ([NRS 449.037](#)) “Nursing pool” has the meaning ascribed to it in [NRS 449.0153](#).

(Added to NAC by Bd. of Health by R035-97, eff. 10-30-97)

NAC 449.0126 “Rural clinic” defined. ([NRS 449.037](#)) “Rural clinic” has the meaning ascribed to it in [NRS 449.0175](#).

(Added to NAC by Bd. of Health by R035-97, eff. 10-30-97)

NAC 449.01265 “Rural hospital” defined. ([NRS 449.037](#)) “Rural hospital” has the meaning ascribed to it in [NRS 449.0177](#).

(Added to NAC by Bd. of Health by R035-97, eff. 10-30-97)

NAC 449.0127 “Subunit agency” defined. ([NRS 449.037](#)) “Subunit agency” has the meaning ascribed to it in [NAC 449.749](#).

(Added to NAC by Bd. of Health by R035-97, eff. 10-30-97)

NAC 449.013 License and renewal fees to operate ambulatory surgical center, facility for treatment of irreversible renal disease, home office, subunit agency or branch office of home health agency, rural clinic, obstetric center, program of hospice care, independent center for emergency medical care, nursing pool, facility for treatment with narcotics, medication unit, referral agency, halfway house for recovering alcohol and drug abusers, facility for refractive laser surgery and mobile unit; expiration of application for license. ([NRS 439.150](#), [439.200](#), [449.0305](#), [449.037](#), [449.038](#), [449.050](#))

1. Except as otherwise provided in [NAC 449.0168](#), an applicant for a license to operate any of the following facilities, programs of hospice care or agencies must pay to the Health Division the following nonrefundable fees:

| | |
|---|---------|
| (a) An ambulatory surgical center..... | \$3,570 |
| (b) A facility for the treatment of irreversible renal disease..... | 2,748 |
| (c) A home office or subunit agency of a home health agency..... | 3,034 |
| (d) A branch office of a home health agency..... | 2,000 |
| (e) A rural clinic..... | 2,160 |
| (f) An obstetric center..... | 1,564 |
| (g) A program of hospice care..... | 2,106 |
| (h) An independent center for emergency medical care..... | 2,950 |
| (i) A nursing pool..... | 4,272 |
| (j) A facility for treatment with narcotics..... | 2,482 |
| (k) A medication unit..... | 1,200 |
| (l) A referral agency..... | 2,000 |
| (m) A halfway house for recovering alcohol and drug abusers..... | 2,020 |
| (n) A facility for refractive laser surgery..... | 7,556 |
| (o) A mobile unit..... | 2,090 |

2. An applicant for the renewal of such a license must pay to the Health Division the following nonrefundable fees:

| | |
|---|---------|
| (a) An ambulatory surgical center..... | \$1,785 |
| (b) A facility for the treatment of irreversible renal disease..... | 1,374 |
| (c) A home office or subunit agency of a home health agency..... | 1,517 |
| (d) A branch office of a home health agency..... | 1,000 |
| (e) A rural clinic..... | 1,080 |
| (f) An obstetric center..... | 782 |
| (g) A program of hospice care..... | 1,053 |
| (h) An independent center for emergency medical care..... | 1,475 |
| (i) A nursing pool..... | 2,136 |
| (j) A facility for treatment with narcotics..... | 1,241 |
| (k) A medication unit..... | 600 |
| (l) A referral agency..... | 1,000 |
| (m) A halfway house for recovering alcohol and drug abusers..... | 1,010 |
| (n) A facility for refractive laser surgery..... | 3,912 |
| (o) A mobile unit..... | 1,045 |

3. An application for a license is valid for 1 year after the date on which the application is submitted. If an applicant does not meet the requirements for licensure imposed by [chapter 449](#) of NRS or the regulations adopted pursuant thereto within 1 year after the date on which he submits his application, he must submit a new application and pay the required fee to be considered for licensure.

[Bd. of Health, Health Facility Fees Art. 1, eff. 1-20-77]—(NAC A 7-22-87; 1-31-90; 9-1-93; 11-1-95; 10-3-96; R035-97 & R044-97, 10-30-97; R229-97, 4-15-98; R105-98, 9-23-98; R132-99, 11-29-99; R123-01, 12-17-2001, eff. 1-1-2002; R052-02 & R063-02, 7-24-2002; R050-02, 10-22-2002; R074-03, 10-22-2003; R065-04, 8-4-2004)

NAC 449.016 License and renewal fees to operate skilled nursing facility, hospital, rural hospital, intermediate care facilities, residential facility for groups, facility for treatment of abuse of alcohol or drugs, facility for hospice care, home for individual residential care and facility for modified medical detoxification; expiration of application for license. ([NRS 439.150](#), [439.200](#), [449.037](#), [449.050](#), [449.249](#))

1. Except as otherwise provided in [NAC 449.0168](#), an applicant for a license to operate any of the following facilities must pay to the Health Division the following nonrefundable fees:

| | Fee per facility | Fee per bed in the facility |
|---|---------------------|-----------------------------------|
| (a) A skilled nursing facility..... | \$2,200 | \$60 |
| (b) A hospital, other than a rural hospital..... | 10,000 | 60 |
| (c) A rural hospital..... | 1,500 | 60 |
| (d) An intermediate care facility for the mentally retarded or persons with developmental disabilities..... | 1,564 | 184 |
| (e) An intermediate care facility, other than an intermediate care facility for the mentally retarded or persons with developmental disabilities..... | 1,200 | 90 |
| (f) Except as otherwise provided in subsection 3, a residential facility for groups..... | 2,400 | 184 |
| (g) A facility for the treatment of abuse of alcohol or drugs..... | 782 | 184 |
| (h) A facility for hospice care..... | 1,564 | 184 |
| (i) A home for individual residential care..... | 1,764 | 184 |
| (j) A facility for modified medical detoxification..... | 782 | 184 |

2. An applicant for the renewal of such a license must pay to the Health Division the following nonrefundable fees:

| | Fee per facility | Fee per bed in the facility |
|---|---------------------|-----------------------------------|
| (a) A skilled nursing facility..... | \$1,100 | \$30 |
| (b) A hospital, other than a rural hospital..... | 5,000 | 30 |
| (c) A rural hospital..... | 750 | 30 |
| (d) An intermediate care facility for the mentally retarded or persons with developmental disabilities..... | 782 | 92 |
| (e) An intermediate care facility, other than an intermediate care facility for the mentally retarded or persons with developmental disabilities..... | 600 | 40 |
| (f) Except as otherwise provided in subsection 4, a residential facility for groups which has 11 beds or more..... | 1,182 | 92 |
| (g) Except as otherwise provided in subsection 5, a residential facility for groups which has less than 11 beds..... | 1,085 | 92 |
| (h) A facility for the treatment of abuse of alcohol or drugs..... | 391 | 92 |
| (i) A facility for hospice care..... | 782 | 92 |
| (j) A home for individual residential care..... | 500 | 92 |
| (k) A facility for modified medical detoxification..... | 391 | 92 |

3. An applicant for a license for a residential facility for groups shall pay a fee of \$100 for each bed in the facility which is paid entirely with money from:

- (a) The Supplemental Security Income Program as defined in [NRS 422.053](#);
- (b) The home and community-based services program pursuant to 42 U.S.C. § 1396n; or
- (c) A program for group care of adults established by a county.

4. An applicant for the renewal of a license for a residential facility for groups shall pay a fee of \$35 for each bed in the facility which is paid entirely with money from:

- (a) The Supplemental Security Income Program as defined in [NRS 422.053](#);
- (b) The home and community-based services program pursuant to 42 U.S.C. § 1396n; or
- (c) A program for group care of adults established by a county.

5. An applicant for the renewal of a license for a residential facility for groups which has less than 11 beds who attests that, during the following licensure period, at least 75 percent of those beds will be paid for entirely with money from the sources described in subsection 4 shall pay a fee of \$500 plus:

- (a) For each bed that will be paid for entirely with money from the sources described in subsection 4, a fee of \$35 in accordance with that subsection; and
- (b) For each remaining bed, a fee of \$92.

6. An application for a license is valid for 1 year after the date on which the application is submitted. If an applicant does not meet the requirements for licensure imposed by [chapter 449](#) of NRS or the regulations adopted pursuant thereto within 1 year after the date on which he submits his application, he must submit a new application and pay the required fee to be considered for licensure.

[Bd. of Health, Health Facility Fees Art. 2, eff. 1-20-77]—(NAC A 7-22-87; 8-31-89; 9-1-93; 11-1-95; R035-97 & R044-97, 10-30-97; R105-98, 9-23-98; R123-99 & R131-99, 11-29-99; R129-99, 11-29-99, eff. 1-1-2000; R110-01, 11-21-2001; R050-02, 10-22-2002; R074-03, 10-22-2003; R065-04, 8-4-2004)

NAC 449.0164 Fees for renewal of licenses for certain facilities: Payment in two equal installments. ([NRS 439.150](#), [439.200](#), [449.037](#), [449.050](#), [449.249](#)) An applicant for the renewal of a license for a residential facility for groups, a halfway house for recovering alcohol and drug abusers, or a home for individual residential care may pay the fee required for the renewal of his license in two equal installments if:

1. On or before November 1 of the calendar year in which his license expires, he submits a complete application for the renewal of the license which includes, without limitation:

(a) The first installment payment which is equal to one-half the amount of the fee required for the renewal of the license pursuant to [NAC 449.013](#) or [449.016](#), as appropriate;

(b) An additional fee of \$100 for the administrative costs of billing and collecting such payments; and

(c) A signed payment agreement and a confession of judgment for the total amount of the second installment payment which may be filed with a court of competent jurisdiction if he fails to make the second installment payment in accordance with the agreement;

2. On or before April 15 of the calendar year for which the license is renewed, he submits the second installment payment for the remainder of the fee required for the renewal of the license pursuant to [NAC 449.013](#) or [449.016](#), as appropriate; and

3. He has not failed to make a payment in accordance with any other similar agreement.

(Added to NAC by Bd. of Health by R065-04, eff. 8-4-2004)

NAC 449.0168 Fees for modification of certain licenses. ([NRS 439.150](#), [449.0305](#), [449.037](#), [449.050](#))

1. Except as otherwise provided in subsection 2, a holder of a license to operate a medical facility, facility for the dependent, program of hospice care or referral agency who wishes or is required pursuant to [NAC 449.190](#), [449.307](#), [449.7473](#) or [449.758](#) to modify his license to reflect:

(a) A change in the name of the facility, program or agency;

(b) A change of the administrator of the facility, program or agency;

(c) A change in the number of beds in the facility;

(d) A change in the type of facility licensed or the addition of another type of facility to be licensed;

(e) A change in the category of residents who may reside at the facility; or

(f) A change in the designation of a staging area for a mobile unit or, if the mobile unit is operated by an independent facility, a change in the address of the independent facility,

➔ must submit an application for a new license to the Health Division and pay to the Health Division a fee of \$250.

2. An applicant who applies for a license pursuant to paragraph (c) of subsection 1 because of an increase in the number of beds in the facility must pay to the Health Division:

- (a) A fee of \$250; and
- (b) A fee for each additional bed as follows:

| | |
|---|-------|
| (1) If the facility is an intermediate care facility for the mentally retarded or persons with development disabilities..... | \$184 |
| (2) Except as otherwise provided in subparagraph (3), if the facility is a residential facility for groups..... | 184 |
| (3) If the facility is a residential facility for groups and the fee for each bed in the facility is paid entirely with money from sources described in subsection 3 of NAC 449.016 | 100 |
| (4) If the facility is a facility for the treatment of abuse of alcohol or drugs..... | 184 |
| (5) If the facility is a facility for hospice care..... | 184 |
| (6) If the facility is a home for individual residential care..... | 184 |
| (7) If the facility is a facility for modified medical detoxification..... | 184 |
| (8) If the facility is a hospital..... | 80 |
| (9) If the facility is a rural hospital..... | 80 |
| (10) If the facility is a skilled nursing facility..... | 60 |
| (11) If the facility is an intermediate care facility, other than an intermediate care facility for the mentally retarded or persons with developmental disabilities..... | 90 |

3. If the address of the home office of a home health agency has not changed, a holder of a license to operate a subunit agency or branch office of the home health agency who wishes or is required pursuant to [NAC 449.758](#) to modify his license to reflect a change in the address of the subunit agency or branch office of the home health agency must:

- (a) Submit an application for a new license to the Health Division; and
- (b) Pay to the Health Division a fee of \$250.

4. A fee paid pursuant to this section is nonrefundable.

5. As used in this section:

(a) “Administrator” means the person who is responsible for the daily management of a medical facility, facility for the dependent or program of hospice care.

(b) “Independent facility” has the meaning ascribed to it in [NAC 449.9701](#).

(c) “Staging area” has the meaning ascribed to it in [NAC 449.97018](#).

(Added to NAC by Bd. of Health by R035-97, eff. 10-30-97; A by R053-99, 9-27-99; R132-99, 11-29-99; R110-01, 11-21-2001; R063-02, 7-24-2002; R050-02, 10-22-2002; R074-03, 10-22-2003)