

Settings Requirement	NAC or NRS Relating to Issue?	Comments
Does the client have his or her own room? If the client shares a room, was s/he given a choice of roommates? Do married couples share or not share a room by choice?	<p>NAC 449.268</p> <p>(h) A resident is informed as soon as practicable that the resident is being moved to a new room or that he or she is receiving a new roommate;</p>	<p>There is no guarantee in NAC that a client may have a choice of roommate or a private room. The choice of facility – and available room types (single/shared) – indicates acceptance of those conditions. There does not appear to be any restriction on more detailed language in a lease agreement to address choice of roommate.</p>
Does the client have access to make private telephone calls/texts/email at his or her convenience?	<p>NAC 449.232</p> <p>1. Each residential facility shall have a telephone that the residents may use to make local calls.</p>	<p>There is no guarantee in NAC that a client have access to make private calls etc. There does not appear to be any restriction on detailed language in a lease agreement to address installation of phone line in bedroom.</p>
Is the client able to receive visitors when and where s/he wants?	<p>NAC 449.258</p> <p>2. A policy on visiting hours must be established to promote contact by the residents with persons who are not residents of the facility. The policy regarding visits must be flexible to ensure that every resident has the opportunity to retain and strengthen ties with family and friends.</p> <p>NRS 118A.320 Rules or regulations of landlord.</p> <p>1. The landlord, from time to time, may adopt rules or regulations concerning the tenant’s use and occupancy of the premises. Such a rule or regulation is enforceable against the tenant only if:</p> <p>(a) Its purpose is to promote the convenience, safety or welfare of the landlord or tenants in the premises, preserve the landlord’s property from abusive use or make a fair distribution of services and facilities held out for the tenants generally;</p> <p>(b) It is reasonably related to the purpose for which it is adopted;</p> <p>(c) It applies to all tenants in the premises in a fair manner;</p>	<p>A rule may be established that exterior doors are locked at a certain time at night - in which case arrangements must be made in advance to receive visitors after such time. However, does CMS really mean that a client must be able to receive visitors without notice between 10pm and 6am? Or, is a reasonable presumption that, so long as visitors are encouraged and able to visit during regular waking hours this requirement is met?</p> <p>Is a statement regarding visitors appropriate for a lease agreement?</p>

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Is the setting physically accessible? Are supports or adaptations available for the clients who need them?	NAC 449.226 NAC 449.227 NAC 449.229	Physical accessibility is well represented in NAC and could easily be incorporated into Lease language.
Are clients able to come and go at will?	NAC 449.259 1. A residential facility shall: (c) Provide each resident with the opportunity to attend the religious service of his or her choice and participate in personal and private pastoral counseling; (d) Permit a resident to rest in his or her room at any time; (e) Permit a resident to enter or leave the facility at any time if the resident: (1) Is physically and mentally capable of leaving the facility; and (2) The resident complies with the rules established by the administrator of the facility for leaving the facility; 2. The administrator of a residential facility may require a resident who leaves the facility to inform a member of the staff of the facility upon his or her departure and return.	NAC supports this requirement – although NRS would also support restrictions being placed on the times of day during which a client could leave and return to the facility.
Do clients have privacy in their living and sleeping spaces and toileting facilities?	NAC 449.268 <i>The gist of this Administrative Code is that the resident shall be afforded dignity and be free from abuse or coercion, but there is not specific language regarding privacy.</i> NAC 449.218 4. The arrangement of the beds and other furniture in the bedroom must provide privacy for and promote the safety of the residents occupying the bedroom. Adjustable curtains, shades, blinds or similar devices must be provided for visual privacy.	Not explicit – except for the requirement for visual privacy in a shared bedroom – but, with the addition of NAC 449.220 which allows for locking doors – privacy is implicitly supported. Is a statement on privacy appropriate for a lease agreement?
Are clients able to furnish and decorate their sleeping and/or living units as they desire? Is furniture arranged as the clients prefer?	NAC 449.218 7. Upon the request of a resident, a residential facility may authorize the resident to use personal furniture and furnishings that comply with the requirements of subsection 6 if their use does not jeopardize the health and safety of any of the residents of the facility.	Within safety limits (detailed in subsections of NAC 449.218 not listed in this document) , NAC supports this requirement.

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Can bedroom and bathroom doors be locked?	<p>NAC 449.220</p> <p>1. A bedroom door in a residential facility which is equipped with a lock must open with a single motion from the inside unless the lock provides security for the facility and can be operated without a key or any special knowledge.</p> <p>2. A bedroom door must not be equipped with a deadbolt lock or chain stop unless the door opens directly to the outside of the facility. The doors of a bedroom and the doors of the closets in the bedroom may be equipped with locks for use by residents if:</p> <p>(a) The doors may be unlocked with a single motion from inside the bedroom or closet without the use of a key; and</p> <p>(b) The doors of the bedroom may be unlocked from outside the room and the keys are readily available at all times.</p> <p>NAC 449.222</p> <p>5. Provision must be made for privacy in all bathrooms and toilet facilities in rooms intended for use by more than one person.</p> <p>6. Bathroom doors that are equipped with locks must open with a single motion from the inside without the use of a key. If a key is required to open a lock from outside the bathroom, the key must be readily available at all times.</p>	<p>Lockable doors are supported.</p> <p>Is a statement on locking doors appropriate for a Lease agreement? Perhaps a statement that the locks must be in working order and delineating who may have copies of the keys?</p>
Do staff or other residents knock before entering? Do staff use a key to enter a living space only under limited circumstances previously agreed upon with the client?	<p>Nothing specific besides the general statements in NAC 449.222 and NAC 449.220 that “the key must be readily available at all times.”</p> <p>Also, NAC 449.268 <i>The gist of this Administrative Code is that the resident shall be afforded dignity and be free from abuse or coercion, but there is not specific language regarding privacy or when it is appropriate to ignore privacy.</i></p>	<p>Nothing in NAC or NRS prohibits this requirement. Including a statement in the Lease agreement seems a reasonable way to address this.</p>

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<p>Is there a lease or written residency agreement? Does the written agreement include language that provides protections to address eviction processes and appeals comparable with those provided under the jurisdiction's landlord/tenant laws?</p>	<p>NAC 449.2702 Except as otherwise provided in NAC 449.275 and 449.2754, a residential facility shall not admit or allow to remain in the facility any person who:</p> <ul style="list-style-type: none"> (a) Is bedfast; (b) Requires restraint; (c) Requires confinement in locked quarters; or (d) Requires skilled nursing or other medical supervision on a 24-hour basis. <p>5. A person may not reside in a residential facility if the person's physician or the Bureau determines that the person does not comply with the requirements for eligibility.</p> <p>NAC 449.2708</p> <p>1. A resident may be discharged from a residential facility without his or her approval if:</p> <ul style="list-style-type: none"> (a) The resident fails to pay his or her bill within 5 days after it is due; (b) The resident fails to comply with the rules or policies of the facility; or (c) The administrator of the facility or the Bureau determines that the facility is unable to provide the necessary care for the resident. <p>4. If the resident or any of his or her visitors are engaging in behavior which is a threat to the mental or physical health or safety of the resident or other persons in the facility, the facility may issue a notice to quit to the resident.</p>	