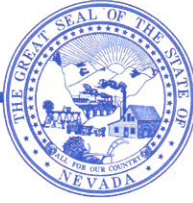


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January 9, 2018

Megan Sloan
Nevada Department of Health and Human Services
Division of Health Care Financing & Policy
1100 East William Street
Carson City, Nevada 89701

Re: LCB File No. R148-17

Dear Ms. Sloan:

A proposed regulation, R148-17, of the Director of the Department of Health and Human Services has been examined pursuant to NRS 233B.063 and is returned in revised form.

We invite you to discuss with us any questions which you may have concerning this review. Please make reference to our file number in all further correspondence relating to this regulation.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Robbins", with a long, sweeping flourish extending to the right.

Eric W. Robbins
Principal Deputy Legislative Counsel

James W. Penrose
Senior Principal Deputy Legislative Counsel

Brenda J. Erdoes
Legislative Counsel

EWR/slj
Enclosure

**PROPOSED REGULATION OF THE DIRECTOR OF THE
DEPARTMENT OF HEALTH AND HUMAN SERVICES**

LCB File No. R148-17

January 9, 2018

EXPLANATION – Matter in *italics* is new; matter in brackets [~~omitted material~~] is material to be omitted.

AUTHORITY: §1, NRS 449.460 and 449.490.

A REGULATION relating to hospitals; revising the date on which a hospital must file with the Department of Health and Human Services a copy of the hospital's Medicare Cost Report; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing law, each hospital with 100 or more beds is required to file with the Department of Health and Human Services, at least annually, a report of the cost to the hospital of providing services to patients covered by Medicare. (NRS 449.490) Existing regulations provide that the report must be filed within 120 days after the close of the hospital's Medicare fiscal year. (NAC 449.957) This regulation extends the deadline for filing the report to 150 days after the close of the hospital's Medicare fiscal year.

Section 1. NAC 449.957 is hereby amended to read as follows:

449.957 1. Except as otherwise provided in subsection 3, every hospital shall file with the Department the following reports:

- (a) A copy of the hospital's Medicare Cost Report within ~~120~~ *150* days after the close of the hospital's Medicare fiscal year;
- (b) A copy of the hospital's proposed operating budget for the fiscal year within 30 days after the beginning of the fiscal year;

(c) A copy of any report made by an independent auditor concerning a financial audit of the hospital's operations within 30 days after the receipt of the report by the hospital; and

(d) An annual report including such information as the Department deems necessary. The information in a report filed pursuant to this paragraph must be certified by an independent auditor.

2. Each report filed pursuant to subsection 1 must be certified by a responsible officer of the hospital to be accurate and complete to the best of the officer's knowledge and belief.

3. Each hospital which has less than 200 beds or which is subject to the provisions of chapter 450 of NRS shall submit to the Department each year a copy of an annual audit conducted by an independent auditor.

4. An extension of the deadline for filing a report pursuant to this section may be granted to a hospital if the hospital certifies before the report is due that the information required for the report is not available on the required reporting date for reasons beyond the control of the hospital.

**SMALL BUSINESS IMPACT DISCLOSURE
PURSUANT TO NRS 233B “Nevada Administrative Procedures Act”**

The purpose of this Form is to provide a framework pursuant to NRS 233B.0608 to determine whether a small business impact statement is required for submittal of a proposed regulation. If Questions 1 and 2 are answered with a NO, then a small business impact statement is not required. If either question is answered with a YES, then a small business impact statement is required prior to the conduct of public workshops by the petitioning agency.

FORM # 4 - Part 1

Regarding Proposed Regulations Pursuant to NAC 449.957

1. Does this proposed regulation impose a direct and significant economic burden upon a small business?
 - *No. Hospitals in Nevada are currently required to file an annual cost report with the Division of Health Care Financing and Policy. The proposed change will extend the cost report filing deadline from 120 days to 150 days after the facility’s fiscal year end to align with the Medicaid Services Manual and federal deadlines.*

2. Does this proposed regulation restrict the formation, operation or expansion of a small business?
 - *No. Hospitals are currently required to file an annual cost report with the Division of Health Care Financing and Policy. The proposed regulation will extend the deadline 30 days.*

Note: Small Business is defined as a “business conducted for profit which employs fewer than 150 full-time or part-time employees” (NRS 233B.0382).

3. If **Yes** to either of Questions 1 & 2, the following action must be taken:
 - A. Was a small business impact statement prepared and was it available at the public workshop. *N/A*

 - B. Attach the Small Business Impact Statement (Part 2) as part of Form #4 upon submission of the proposed regulation to LCB. *N/A*