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Governor

## NEVADA HEALTH AUTHORITY

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## Quick Reference Guide: Provider Waiver of NRS 439.589(4): Electronic Health Information

### A. The Basics

All health care providers and medical facilities licensed to operate in Nevada must be able to maintain, transmit, and exchange health information in accordance with state law and regulations. See [NRS 439.589](#) and [LCB File No. R173-24](#).

These requirements must be met as follows:

1. **By July 1, 2024:**
  - Hospitals
  - Physician group practices with more than 20 employees
2. **By July 1, 2025:**
  - All other healthcare providers and entities (unless listed below)
3. **By January 1, 2030:**
  - Physician group practices with 20 or fewer employees
  - Solo practitioners
  - Small health care businesses

Eligible health care providers may receive a waiver from the Department that exempts them from the electronic health information requirements of Nevada Revised Statute (NRS) 439.589(4), which mandates all providers maintain, transmit, and exchange health information in accordance with state law and regulations.

- **Deadline:** Waiver applications will be considered by the Department on a continuous basis.
- **Submission:** Email completed materials to: [communityandprovider@nvha.nv.gov](mailto:communityandprovider@nvha.nv.gov)
- **Required:** Complete waiver application form and notarized attestation with any applicable supporting documentation.

The waiver application process does not constitute any type of exemption during its review. Waiver application should be submitted at least 30 days in advance of any health care provider compliance deadline.

### B. Who Can Seek a Waiver

As a health care provider, you may qualify for a waiver **if the following applies to you and your practice:**

1. You currently lack the necessary infrastructure to comply with NRS 439.589. For example, you may lack access to reliable internet.
2. Obtaining the infrastructure is not reasonably practicable for your practice. For example, this may create significant financial hardship and make it difficult to operate in a sustainable manner.

## C. What is the Application Process

### 1. Complete the Application Form

#### Legal Business Information:

- Legal business name
- Business address
- Business phone
- Email

#### Provider Information:

- Applicant legal name
- Applicant National Provider Identifier (NPI)
- License number
- Licensure board/authority name (what is the name of the entity issuing the license?)
- License expiration date
- State of licensure

#### Contact Information:

- Application point of contact
- Phone
- Email

### 2. Provider Eligibility

- Answer all questions 1-9 completely and accurately to the best of your knowledge

### 3. Complete the Provider Verification

- Verify the contents of your application in front of a Notary Public

### 4. Submit

- Email complete package to [communityandprovider@nvha.nv.gov](mailto:communityandprovider@nvha.nv.gov)
- Keep copies of all correspondence

## D. What Happens Next

1. You will receive confirmation when your application is received
2. The Department will review your eligibility
3. You will receive a written decision via email

4. If approved, maintain records of your waiver approval
5. If approved and without a change in your circumstances, waiver re-application is required in tandem with your license renewal cycle

### Important Notes

- Pursuant to NRS 439.589, subdivision 6, only single health care providers are eligible to apply for a waiver
- Non-compliance with NRS 439.589 and subsequent regulations may result in reporting to licensing/regulatory agencies if a provider is not otherwise exempt through the waiver process
- Keep copies of all documentation
- Include "N/A" for any fields that do not apply
- Approved waivers will be valid until the next licensure renewal cycle from the date of issuance, as documented in approved waiver
- No State law waives the requirements of NRS 439.589 based upon provider's payment source (such as health insurance billing) or lack thereof.
- There is no appeal process for this waiver program.

### Questions?

Please feel free to email our team at [communityandprovider@nvha.nv.gov](mailto:communityandprovider@nvha.nv.gov) with any questions about the waiver application process.

- Link to Waiver Application: [please click here](#).
- Link to Electronic Health Information Advisory Group: [please click here](#).