

Steve Sisolak
Governor



Richard Whitley, MS
Director

DEPARTMENT OF HEALTH AND HUMAN SERVICES

DIVISION OF HEALTH CARE FINANCING AND POLICY

Helping people. It's who we are and what we do.



Suzanne Bierman,
JD MPH
Administrator

SMALL BUSINESS IMPACT STATEMENT OF METHOD 2022

PROPOSED AMENDMENTS TO NEVADA ADMINISTRATIVE CODE (NAC) 422.105 AND 422.115

The Division of Health Care Financing and Policy (DHCFP) has determined that the proposed regulation should not have any adverse effect upon a small business or negatively impact the formation, operation or expansion of a small business in Nevada.

A small business is defined in Nevada Revised Statutes (NRS) 233B as a “business conducted for profit which employs fewer than 150 full-time or part-time employees.”

This small business impact statement is made pursuant to NRS 233B.0608(3) and complies with the requirements of NRS 233B.0609. As required by NRS 233B.0608(3), this statement identifies the methods used by the agency in determining the impact of the proposed regulation on a small business as stated below.

Background

The proposed changes will revise NAC 422.105 and 422.115 of the Nevada Administrative Code and are being proposed in accordance with NRS 422.390.

The proposed regulations provide provisions for the following:

1. Brings the proposed regulations in compliance with the Nevada State Plan, Attachment 4.19-A, Page 23, Page 32a and 32 a.i. Changes are being made to the Disproportionate Share Hospital (DSH) calculations and distribution formula.
2. Affects Hospitals that participate in the DSH program.
3. Allows the State to modify the calculations and distribution of DSH funds when necessary.
4. Allows the Division to enter into an agreement with the Hospitals to calculate and distribute available DSH funds.
5. Outlines the percentages used to calculate and determine the distribution of DSH funds.
6. The total amount distributed to an individual hospital may not, under any circumstance, exceed the total uncompensated care costs (DSH limit) for that facility, therefore, the Division may opt to reduce the DSH allotment accordingly to prevent overpayments withing the year.

Statement of methods used in determining the impact of the proposed regulation on a small business

The Division reached out to the Nevada Hospital Association (NHA) to determine if any of the DSH Hospitals could be deemed to be impacted as a small business. NHA confirmed that no DSH hospitals met the definition of a small business. The Division additionally reviewed prior NAC changes and personally reached out to the two hospitals historically impacted. Both hospitals additionally confirmed that they do not meet the definition of a small business. As there are no

hospitals participating in the DSH program that meet the definition of a small business as defined by NRS 233B, the Division concludes there is no impact to small businesses in Nevada.

Certification by person responsible for the Division

I, Suzanne Bierman, Administrator of the Division of Health Care Financing and Policy certify to the best of my knowledge or belief, a concerted effort was made to determine the impact of the proposed regulation on small businesses and the information contained in this statement was prepared properly and is accurate.

Suzanne Bierman

Signature: [Suzanne Bierman \(Nov 29, 2022 19:03 PST\)](#)

11/29/2022

Date: _____