

Joe Lombardo
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.



Stacie Weeks,
JD MPH
Administrator

*Si necesitas ayuda traduciendo este mensaje, por favor escribe a dhcfc@dhcfc.nv.gov, o llame (702) 668-4200 o (775) 687-1900
如果希望获得本文件的翻译版本，请提交申请至 dhcfc@dhcfc.nv.gov; (702) 668-4200 o (775) 687-1900*

NOTICE OF PUBLIC WORKSHOP TO SOLICIT COMMENTS ON PROPOSED REGULATIONS

NOTICE IS HEREBY GIVEN that the Division of Health Care Financing and Policy (DHCFP) will hold a public workshop to consider amendments to the Nevada Administrative Code (NAC), Chapter 439 Health Information Maintenance, Transmittal, and Exchange.

The workshop will be conducted in-person and via videoconference beginning at 9:00 AM on September 4, 2024, at the following locations:

DHCFP
4070 Silver Sage Drive
Main Conference Room
Carson City, Nevada 89701

Please use the teleconference/Microsoft Teams options provided below. If accommodations are requested, please advise using information at the end of this agenda.

Click here to join the meeting: <https://tinyurl.com/PW09042024>

Select "Join", enter your name and email and then select "Join."

The meeting should not require a password.

Audio only: (775) 321-6111

Conference ID: 281 680 077#

These workshops will be conducted in accordance with NRS 241.020 Nevada's Open Meeting Law.

General Public Comments: No action may be taken upon a matter raised under public comment period unless the matter itself has been specifically included on an agenda as an action item. To provide public comment telephonically, you may join the meeting by dialing (775) 321-6111 and when prompted to provide the Meeting ID, enter **281 680 077#**. You may then press *5 to raise your hand during the public comment periods to provide your comment. Comments will be limited to three minutes per person. Persons making comment will be asked to begin by stating their name for the record and to spell their last name and provide the secretary with written comments.

OVERVIEW OF PROPOSED CHANGES

Assembly Bill 7 (AB 7) of the 2023 Nevada Legislature amended current law by requiring, rather than authorizing, that patient's health care records are created, authenticated, and stored in a computer system by all health care providers (unless otherwise exempted) by January 1, 2030. Affected health care providers are defined by Nevada Revised Statute (NRS) 629.031. New law also requires that such a computer system allows patients to access their records electronically and forward them to other people.

In support of existing law related to patient access to personal health information and health information records, AB 7 was passed in the 82nd (2023) Session of the Nevada Legislature and signed into law on June 10, 2023. The proposed regulation

Nevada Administrative Code (NAC) 439.572 through 439.598 will support this law. The purpose of the workshop is to solicit comments from interested persons on the following general topics addressed in the proposed regulations:

The proposed regulations provide provisions for the following:

1. Addition of definitions for relevant terms to the Chapter
2. Provides information under the requirements section to include:
 - a. Electronic maintenance, transmittal and exchange of electronic health records, prescriptions, health-related information and electronic signatures.
 - b. Requirement that a Health Information Exchange operating in Nevada must be a member of the Trusted Exchange Framework and Common Agreement (TEFCA).
 - c. Standards surrounding an electronic health record system.
 - d. Compliance deadlines for the various groups of providers of health care as outlined in AB 7 Section 2.8.
 - e. Options for compliance.
 - f. Clarification that no person or entity is required to use a health information exchange.
3. Maintenance of patient confidentiality standards consistent with the Health Insurance Portability and Accountability Act of 1996 (HIPAA).
4. Standards to request a waiver of the requirements.
5. Inapplicability of certain provisions.

Members of the public may make oral comments at this meeting. Persons wishing to submit written testimony or documentary evidence may submit the material to communityandprovider@dhcp.nv.gov or at the following address no later than September 6, 2024:

Division of Health Care Financing and Policy
Community and Provider Engagement Unit
1100 E. William Street, Suite 101
Carson City, NV 89701

Members of the public who require special accommodations or assistance at the workshops are required to notify the Community and Provider Engagement Unit in writing to the Division of Health Care Financing and Policy, at the above address, or by calling (775) 301-8982 at least five (5) working days prior to the date of the public workshop.

A copy of all materials relating to the proposal may be obtained at the workshop or by contacting communityandprovider@dhcp.nv.gov or by telephone at (775) 301-8982. A reasonable fee for copying may be charged. The agency's small business impact statement is attached.

A copy of the notice and the proposed regulations are on file for inspection and/or may be copied at the following locations during normal business hours:

Division of Health Care Financing and Policy
4070 Silver Sage Drive
Carson City, NV 89701

Division of Health Care Financing and Policy
1010 Ruby Vista Drive, Suite 103
Elko, NV 89801

Division of Health Care Financing and Policy
1210 S. Valley View Blvd.

Las Vegas, NV 89102

Division of Health Care Financing and Policy
745 W. Moana Lane, Suite 200
Reno, NV 89509

Nevada State Library and Archives
100 Stewart Street
Carson City, NV 89701

Grant Sawyer Building
555 E. Washington Avenue
Las Vegas, NV 89101

A copy of the regulations can be found on the Division of Health Care Financing and Policy's web page:
<https://dhcfp.nv.gov/Public/AdminSupport/PublicNotices/>

A copy of the public workshop notice can also be found at Nevada Legislature's web page:
<https://www.leg.state.nv.us/App/Notice/A/>

Copies may also be obtained from any of the public libraries listed below:

Carson City Library
900 North Roop Street
Carson City, NV 89702

Churchill County Library
553 South Main Street
Fallon, NV 89406

Clark County District Library
833 Las Vegas Boulevard North
Las Vegas, NV 89101

Douglas County Library
1625 Library Lane
Minden, NV 89423

Elko County Library
720 Court Street
Elko, NV 89801

Esmeralda County Library
Corner of Crook and 4th Street
Goldfield, NV 89013

Eureka Branch Library
210 South Monroe Street
Eureka, NV 89316

Henderson District Public Library
280 South Water Street
Henderson, NV 89105

Lander County Library
625 South Broad Street
Battle Mountain, NV 89820

Lincoln County Library
63 Maine Street
Pioche, NV 89043

Lyon County Library
20 Nevin Way
Yerington, NV 89447

Mineral County Library
110 1st Street
Hawthorne, NV 89415

Pahrump Library District
701 East Street
Pahrump, NV 89041

Pershing County Library
1125 Central Avenue
Lovelock, NV 89419

Storey County Library
95 South R Street
Virginia City, NV 89440

Tonopah Public Library
167 Central Street
Tonopah, NV 89049

Washoe County Library
301 South Center Street
Reno, NV 89505

White Pine County Library
950 Campton Street
Ely, NV 89301

Per NRS 233B.064(2), upon adoption of any regulations, the agency, if requested to do so by an interested person, either prior to adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption, and incorporate therein its reason for overruling the consideration urged against its adoption.