

Joe Lombardo
Governor

Richard Whitley, MS
Director



DEPARTMENT OF HEALTH AND HUMAN SERVICES

AGING AND DISABILITY SERVICES DIVISION
Helping people. It's who we are and what we do.



Dena Schmidt
Administrator

NOTICE OF INTENT TO ACT UPON A REGULATION

Notice of Hearing for the
Amendment of Regulation
Nevada Administrative Code 435

NOTICE IS HEREBY GIVEN; the Aging and Disability Services Division (ADSD) will hold a public hearing to consider amendments to Nevada Administrative Code (NAC) Chapter 435 for Persons with Intellectual Disabilities and Developmental Disabilities to reflect legislatively approved changes to Developmental Services provision of services as well as update current processes and person-centered language. These changes include updated language and qualifying diagnostic criteria for financial assistance to a parent or other relative caring for certain persons with intellectual and developmental disabilities; allowing Jobs and Day Training providers to administer medication; allowing for the provision of skilled care by Supported Living Arrangement providers; the addition of continuity of services for both supported living arrangement services and jobs and day training services as well as updating the provider application process and the appeal process for the revocation of a provisional certificate or certificate. A public workshop as required pursuant to NRS Chapter 233B was conducted on February 22, 2024.

The public hearing will be held on June 18, 2024, at 1:00PM at the following locations:

ADSD Reno Office
9670 Gateway Dr. Ste. 100
Reno, NV 89521

Via Teams Meeting: [Join the meeting now](#)

Join by phone:

[+1 775-321-6111](tel:+17753216111)

Phone conference ID: 595 192 827#

The hearing will be conducted in accordance with NRS 241.020, Nevada's Open Meeting Law.

AGENDA

1. Introduction of hearing process
2. Public comment
3. Adoption of proposed amendments to NAC Chapter 435

4. Public Comment
5. Adjournment

The following information is provided pursuant to the requirements of NRS 233B.0603:

The proposed changes will revise Chapter 435 of the Nevada Administrative Code to updated language and qualifying diagnostic criteria for financial assistance to a parent or other relative caring for certain persons with intellectual and developmental disabilities; allow Jobs and Day Training providers to administer medication; allow for the provision of skilled care by Supported Living Arrangement providers; the addition of continuity of services for both supported living arrangement services and jobs and day training services; update the provider application process and the appeal process for the revocation of a provisional certificate or certificate.

The proposed regulations will provide for:

1. The purpose of the changes is to clarify expectations for the delivery of services.
2. The estimated economic effect of the regulation on the businesses as indicated below:

Providers of Service:

- A. *Adverse effects:* The regulation may impact provider costs associated with obtaining necessary liability insurance, staff training and policy development as applicable for providers that choose to perform the services.
- B. *Beneficial effects:* This regulation allows flexibility in service delivery to individuals that require skilled care services by their residential provider to support them in the least restricted setting and it also extends access to jobs and day training services to individuals who require medication administration during the day.
- C. *Immediate effects:* The regulation supports continuity of care to individuals receiving residential support services and jobs and day training services that require skilled care services or medication administration following a person centered approach.
- D. *Long-term effects:* The regulation reduces the need to rely solely on home health agencies to provide skilled care services in residential settings and allows individuals to attend a jobs and day training program who require medication administration.

The estimated economic effect of the regulation on the public:

- A. *Adverse effects:* None noted.
- B. *Beneficial effects:* The beneficial effects of the regulation on the public are the same as the beneficial effects of the statute, in allowing flexibility in service delivery that supports continuity of care for individuals requiring skilled care services by their residential provider and access to jobs and day training services for individuals requiring medication administration during the day. Further, this change will create a more person-centered approach.
- C. *Immediate effects:* Upon passage of the proposed regulation provide the benefits as noted in the beneficial section.

D. *Long-term*: Upon passage of the proposed regulation provide the benefits as noted in the beneficial and immediate sections.

A copy of this notice and the regulation to be amended will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be amended will be available at Aging and Disability Services Division, 3208 Goni Road, I-181, Carson City, NV 89706, and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours.

A copy of this notice and the regulation to be amended can be obtained by contacting Megan Wickland mwickland@adsd.nv.gov and can also be found on-line by going to:
Nevada Aging and Disability Services Division:

<https://adsd.nv.gov/Programs/regulations/>

This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the Internet at <http://www.leg.state.nv.us>. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Notice of this meeting is also posted on the Internet: <https://adsd.nv.gov/>, <https://notice.nv.gov/> and has been sent to the Legislative Counsel Bureau.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will 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.

This notice of hearing has been posted at the following locations:

1. Aging and Disability Services Division, Carson City Office, 3208 Goni Road, Suite I-181, Carson City, NV 89706
2. Aging and Disability Services Division, Las Vegas Office, 3320 West Sahara Ave., Suite 100, Las Vegas, NV 89102
3. Aging and Disability Services Division, Reno Office, 9670 Gateway Drive, Suite 100, Reno, NV 89521
4. Nevada State Library and Archives, 100 North Stewart Street, Carson City, NV 89706

We are pleased to make reasonable accommodations for members of the public who have disabilities and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify Megan Wickland mwickland@adsd.nv.gov as soon as possible and at least one business day in advance of the meeting.