
ASSEMBLY BILL NO. 59—COMMITTEE ON JUDICIARY

(ON BEHALF OF CLARK COUNTY)

FEBRUARY 10, 2003

Referred to Committee on Judiciary

SUMMARY—Permits law enforcement agency to inspect certain records pertaining to abuse, neglect, exploitation or isolation of older persons. (BDR 15-277)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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

AN ACT relating to older persons; permitting a law enforcement agency to inspect certain records pertaining to the abuse, neglect, exploitation or isolation of older persons; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** NRS 200.50984 is hereby amended to read as
2 follows:
3 200.50984 1. Notwithstanding any other statute to the
4 contrary, *a law enforcement agency*, the local office of the Aging
5 Services Division of the Department of Human Resources and a
6 county’s office for protective services, if one exists in the county
7 where a violation is alleged to have occurred, may for the purpose of
8 investigating an alleged violation of NRS 200.5091 to 200.50995,
9 inclusive, inspect all records pertaining to the older person on whose
10 behalf the investigation is being conducted, including, but not
11 limited to, that person’s medical and financial records.
12 2. Except as otherwise provided in this subsection, if a
13 guardian has not been appointed for the older person, *the law*
14 *enforcement agency*, the Aging Services Division or the county’s
15 office for protective services shall obtain the consent of the older



1 person before inspecting those records. If *the law enforcement*
2 *agency*, the Aging Services Division or the county's office for
3 protective services determines that the older person is unable to
4 consent to the inspection, the inspection may be conducted without
5 his consent. Except as otherwise provided in this subsection, if a
6 guardian has been appointed for the older person, *the law*
7 *enforcement agency*, the Aging Services Division or the county's
8 office for protective services shall obtain the consent of the guardian
9 before inspecting those records. If *the law enforcement agency*, the
10 Aging Services Division or the county's office for protective
11 services has reasonable cause to believe that the guardian is abusing,
12 neglecting, exploiting or isolating the older person, the inspection
13 may be conducted without the consent of the guardian, except that if
14 the records to be inspected are in the personal possession of the
15 guardian, the inspection must be approved by a court of competent
16 jurisdiction.

