

Amendment No. CA27

Conference Committee Amendment to (BDR S-448)
 Assembly Bill No. 52 Second Reprint

Proposed by: Conference Committee

Amendment Box: Replaces Amendments Nos. CA11 and CA 22.

Amends: Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) green bold dashed underlining is newly added transitory language.

SLP/KCR



Date: 5/31/2009

A.B. No. 52—Requires hospitals in certain larger counties to provide a report of certain information concerning patients to the Legislative Committee on Health Care. (BDR S-448)



ASSEMBLY BILL NO. 52—COMMITTEE ON
HEALTH AND HUMAN SERVICES

(ON BEHALF OF CLARK COUNTY)

PREFILED DECEMBER 6, 2008

Referred to Committee on Health and Human Services

SUMMARY—~~Requires~~ **Revises provisions relating to public hospitals and requires** hospitals in certain larger counties to provide a report of certain information concerning patients to the Legislative Committee on Health Care. (BDR ~~SI~~ **40-448**)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

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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 health care; **authorizing a board of county commissioners to adopt procedures to lease the naming rights relating to public hospitals located within the county;** requiring certain hospitals in certain larger counties to report information to the Legislative Committee on Health Care concerning the transfer of patients to another hospital; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 ~~Existing law authorizes the board of county commissioners in certain larger counties~~
2 ~~to adopt, by ordinance, procedures for the sale of naming rights relating to a shooting~~
3 ~~range that is owned by the county. (NRS 244.30701) Under existing law, counties and~~
4 ~~groups of counties are authorized to establish public hospitals. (Chapter 450 of NRS)~~
5 ~~Section 1 of this bill authorizes a board of county commissioners to lease the naming~~
6 ~~rights relating to such a hospital and specifies the purposes for which proceeds from the~~
7 ~~lease must be used.~~

8 Hospitals in this State are required to provide emergency services and care, and it is
9 unlawful for a hospital or a physician working in a hospital emergency room to refuse to
10 accept or treat a patient in need of emergency services and care. (NRS 439B.410) ~~This~~
11 **Section 2 of this** bill requires certain hospitals located in larger counties to provide a report of
12 certain information to the Legislative Committee on Health Care concerning the transfer of
13 patients from the hospital to another hospital and the availability of specialty medical services
14 in the hospital. Such a report must be made quarterly beginning on October 15, 2009, and
15 cover information from July 1, 2009, through September 30, 2010.

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

1 Section 1. Chapter 450 of NRS is hereby amended by adding thereto a
2 new section to read as follows:

3 1. The board of county commissioners of a county in which a public
4 hospital is located may adopt, by ordinance, procedures for the lease of naming
5 rights relating to the public hospital, including, without limitation, the lease of
6 naming rights to:

7 (a) Buildings, improvements, facilities, rooms, features, fixtures and sites
8 located within the boundaries of the public hospital; and

9 (b) Activities, events, programs, chairs, fellowships and memorials held or
10 established at the public hospital.

11 2. If a board of county commissioners leases naming rights in accordance
12 with the procedures adopted pursuant to this section, the board shall create an
13 enterprise fund exclusively for the proceeds of the lease of all such naming
14 rights, for fees or charges for use of the hospital and for any gifts, grants,
15 donations, bequests, devises or money from any other source received for the
16 public hospital. Any interest or other income earned on the money in the fund,
17 after deducting any applicable charges, must be credited to the fund. Money that
18 remains in the fund at the end of a fiscal year does not revert to the county
19 general fund and the balance in the fund must be carried forward to the next
20 fiscal year. The money in the fund may only be used to pay for expenses directly
21 related to the costs of the public hospital for construction, improvement,
22 operation, maintenance or programs.

23 3. The procedures adopted pursuant to subsection 1 must, without
24 limitation:

25 (a) Prohibit the lease of naming rights for a public hospital to that public
26 hospital;

27 (b) Provide that the board of county commissioners may reject any name
28 proposed pursuant to a lease of naming rights;

29 (c) Provide for the development of selection criteria for awarding a lease of
30 naming rights, including procedures for circumstances in which more than one
31 request for the lease of naming rights is submitted to the board of county
32 commissioners;

33 (d) Provide that the name must be consistent with the mission of the public
34 hospital;

35 (e) Prohibit the use of a name that:

36 (1) Is false, misleading or deceptive;

37 (2) Promotes unlawful or illegal goods, service or activities;

38 (3) Promotes or encourages hate, violence or antisocial behavior;

39 (4) Implies an endorsement by the county or a public official of any
40 good, service or activity;

41 (5) Is libelous or defamatory;

42 (6) Contains text or an image that is likely to be confused with safety,
43 traffic or emergency signage; or

44 (7) Is associated with a person who has been convicted of a felony;

45 (f) Provide that the term of a lease does not exceed 20 years; and

46 (g) Provide that the board of county commissioners:

1 (1) Shall require the change of a name authorized pursuant to a lease or
2 revoke a lease before the expiration of its term if a change of circumstances
3 results in a violation of the provisions of paragraph (d) or (e); and

4 (2) May require the change of a name authorized pursuant to a lease or
5 revoke a lease before the expiration of its term for any other purpose in
6 accordance with the procedures adopted pursuant to subsection 1.

7 4. The terms of a lease granted pursuant to this section may be renegotiated
8 and renewed. Each such renewal must provide that the term of the lease does not
9 exceed 20 years.

10 5. A lease of naming rights pursuant to this section and the procedures
11 adopted pursuant thereto are not subject to the requirements for competitive
12 bidding set forth in chapter 332 of NRS.

13 ~~[Section 1.]~~ **Sec. 2.** 1. Each hospital located in a county whose
14 population is 400,000 or more which is licensed to have more than 70 beds shall
15 provide to the Legislative Committee on Health Care reports with information
16 concerning the transfer of patients from one hospital to another hospital. Such
17 information must include:

18 (a) The number of patients who are transferred from the hospital to another
19 hospital;

20 (b) The number of patients who were received by the hospital that were
21 transferred from another hospital;

22 (c) The reason for each transfer of a patient to another hospital;

23 (d) The availability of specialty services and care in the hospital; and

24 (e) Whether each patient who was transferred from the hospital had insurance
25 or some other guaranteed form of payment for services.

26 2. Each hospital subject to the provisions of subsection 1 shall provide a
27 report to the Legislative Committee on Health Care with the information required at
28 least once every 3 months, and the reports must include information from July 1,
29 2009, through September 30, 2010. The first report must be made by October 15,
30 2009, and must include information from July 1, 2009, through September 30,
31 2009. Subsequent reports must include information for the period since the last
32 report.

33 3. The information reported pursuant to this section must be made available to
34 each person or entity that provides information pursuant to this section to the extent
35 that it is not required to be kept confidential.

36 4. The information reported pursuant to this section must be maintained and
37 reported in a manner consistent with the Health Insurance Portability and
38 Accountability Act of 1996, Public Law 104-191.

39 5. As used in this section, "specialty services" includes, without limitation:

40 (a) Cardiology services;

41 (b) Gastroenterological services;

42 (c) General surgical services;

43 (d) Neurosurgical services;

44 (e) Ophthalmology services;

45 (f) Oral and maxillofacial surgical services;

46 (g) Orthopedic services;

47 (h) Otolaryngology services; and

48 (i) Urological services.

49 ~~[Sec. 2.]~~ **Sec. 3.** This act becomes effective on July 1, 2009.