THE ONE HUNDRED AND SEVENTH DAY

CARSON CITY (Tuesday), May 21, 2019

Senate called to order at 12:59 p.m.

President Marshall presiding.

Roll called.

All present except Senator Washington, who was excused.

Prayer by the Chaplain, Pastor Bruce Henderson.

God, as we go through life, we often operate under the idea that we are in control, but things like sickness, tribulations, breakdowns and even politics and weather remind us that we are not in charge. Today, Lord, we pray for You to take control. I ask for special gifts of wisdom, patience and compassion as You lead us through the work here.

I pray in Jesus' Name.

AMEN.

Pledge of Allegiance to the Flag.

By previous order of the Senate, the reading of the Journal is dispensed with, and the President and Secretary are authorized to make the necessary corrections and additions.

REPORTS OF COMMITTEE

Madam President:

Your Committee on Commerce and Labor, to which was referred Assembly Bill No. 275, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAT SPEARMAN, *Chair*

Madam President:

Your Committee on Health and Human Services, to which was referred Assembly Bill No. 252, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JULIA RATTI, *Chair*

Madam President:

Your Committee on Natural Resources, to which were referred Assembly Bill No. 62; Assembly Joint Resolution No. 2, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MELANIE SCHEIBLE, *Chair*

Madam President:

Your Committee on Revenue and Economic Development, to which was referred Assembly Bill No. 458, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MARILYN DONDERO LOOP, *Chair*

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, May 20, 2019

To the Honorable the Senate:

I have the honor to inform your honorable body that the Assembly on this day passed Senate Bills Nos. 24, 31, 34, 40, 54, 56, 75, 81, 100, 199, 231, 392, 416.

Also, I have the honor to inform your honorable body that the Assembly on this day passed, as amended, Assembly Bill No. 267.

Also, I have the honor to inform your honorable body that the Assembly amended, and on this day passed, as amended, Senate Bill No. 30, Amendment No. 698, and respectfully requests your honorable body to concur in said amendment.

CAROL AIELLO-SALA
Assistant Chief Clerk of the Assembly

MOTIONS, RESOLUTIONS AND NOTICES

Senator Ratti moved that Assembly Bill Nos. 73, 113, 242, 244, 303, 453 be taken from the General File and placed on the Secretary's desk.

Motion carried.

Senator Ratti moved that Assembly Bills Nos. 139, 140, 141, 142, 161, 164, 205, 230, 233, 260, 316, 336, 353, 361, 367, 457, 492; Assembly Joint Resolution No. 2 of the 79th Session be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

Senator Woodhouse moved that Assembly Bill No. 348 be taken from the Secretary's desk and re-referred to the Committee on Finance.

Motion carried.

By Senators Ohrenschall, Brooks, Cancela, Cannizzaro, Denis, Dondero Loop, Goicoechea, Hammond, Hansen, Hardy, Harris, Kieckhefer, Parks, Pickard, Ratti, Scheible, Seevers Gansert, Settelmeyer, Spearman, Washington, Woodhouse; Assemblymen Yeager, Assefa, Backus, Benitez-Thompson, Bilbray-Axelrod, Carlton, Carrillo, Cohen, Daly, Duran, Edwards, Ellison, Flores, Frierson, Fumo, Gorelow, Hafen, Hambrick, Hansen, Hardy, Jauregui, Kramer, Krasner, Leavitt, Martinez, McCurdy, Miller, Monroe-Moreno, Munk, Neal, Nguyen, Peters, Roberts, Smith, Spiegel, Swank, Titus, Tolles, Torres, Watts and Wheeler:

Senate Concurrent Resolution No. 8—Memorializing former Nevada Attorney General and Nevada Supreme Court Chief Justice Charles E. Springer.

WHEREAS, On February 19, 2019, the State of Nevada lost a dedicated and highly distinguished public servant; and

WHEREAS, Native Nevadan Charles Springer was born February 20, 1928, in Reno, Nevada, to Edwin and Rose Kelly Springer; and

WHEREAS, Charles' early education began in Reno at Mount Rose Elementary School and Billinghurst Junior High School, followed by St. Joseph's College in Mountain View, California, where Charles said he found his true calling in helping the poor, the underprivileged and those discriminated against by others; and

WHEREAS, Charles returned to Reno for his senior year at Reno High School and after graduation, at the height of World War II, enlisted in the U.S. Army where he served as a paratrooper in the 11th Airborne Division; and

WHEREAS, Following his service in the Army, Charles enrolled at the University of Nevada, Reno, met the love of his life, Jacqueline Sirkegian and they were married in 1951; and

WHEREAS, After Charles received his Bachelor of Arts degree, the couple moved to Washington, D.C., where Charles attended Georgetown Law School and obtained his Bachelor of Laws degree; and

WHEREAS, After returning to Reno in 1953, Charles served as a law clerk in the U.S. District Court and several years later, formed a law partnership, helped to develop and teach the Nevada

Bar Review Course, worked as a Legislative Bill Drafter for the Nevada State Legislature and served as the City Attorney for the City of Gabbs, Nevada; and

WHEREAS, Charles Springer dedicated his legal career to righting wrongs and the mistreatment of others and in 1962, Governor Grant Sawyer appointed him Attorney General of the State of Nevada; and

WHEREAS, From 1973 to 1980, Charles Springer served as the Juvenile Court Master for the Second Judicial District Court and served as an adjunct professor at the McGeorge School of Law and the University of Nevada, Reno, and was on the faculty of the National Council of Juvenile and Family Court Judges in Reno, Nevada, and the National Judicial College in Reno, Nevada, as well as teaching occasionally abroad, and was generally recognized as an expert in the field of juvenile law; and

WHEREAS, In 1981, Charles Springer secured his first seat on the Nevada Supreme Court where he would serve for the next 18 years, serving twice as Chief Justice; and

WHEREAS, While seated on the Supreme Court, Justice Springer headed a study on gender bias in the judiciary, and piloted a study relating to racial discrimination in the State's judicial system; now, therefore, be it

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, THE ASSEMBLY CONCURRING, That the members of the 80th Session of the Nevada Legislature extend their heartfelt sympathy to Justice Springer's beloved wife of 68 years, Jacqueline, daughter, Kelli Ann, son-in-law, Richard and grandchildren, Charles Tyler, Kelsey Cecelia and Karina Ann; and be it further

RESOLVED, That the Secretary of the Senate prepare and transmit a copy of this resolution to Justice Springer's wife, Jacqueline; and be it further

RESOLVED, That this resolution becomes effective upon passage.

Senator Ohrenschall moved the adoption of the resolution.

Remarks by Senator Ohrenschall.

Early in this Session, we lost a great Nevadan with the passing of Justice Charles Springer. He was a former Associate Justice of the Nevada Supreme Court, Chief Justice, Nevada Attorney General and held many other positions in his efforts to help the community. Charlie, as I knew him, was a native Nevadan, born in Reno in 1928. He attended local schools and graduated from the University of Nevada (UNR) in 1950. He then went on to earn his law degree from Georgetown University in 1953. While attending law school in Washington, D.C., he was able to work under the patronage of former Senator McCarran. One of the stories told by Charlie's wife, Jackie, is that after his second semester at law school, he was able to get passage on a military plane to Great Falls, Montana. He then rode a bus for two days to get to Reno where Jackie was attending UNR and proposed to her. The newlyweds moved to D.C. and worked there while Charlie was finishing law school. I asked if they were tempted to stay there, as Charlie was working for Senator McCarran and Jackie was working for Senator Malone. She told me they wanted to return to Reno and their home State.

Charlie became a political ally of the great Democrat, Grant Sawyer, who went on to become Nevada's Governor. During the Sawyer administration, Charlie served as the State party Democratic Chairman. In that role, he was pivotal to Governor Sawyer and the Sawyer administration. Governor Sawyer appointed him as Nevada's Attorney General in 1962. In 1966, Charlie filed to run for Governor. He did not win that race, but the naysayers who thought his political career was over were wrong. Charlie may have been down, but he definitely was not out. In 1970, he ran for Governor as an independent candidate. He was not successful in this race either. Again, he was down but not out.

In 1974, Charlie ran for the Nevada Supreme Court, challenging Justice Gordon Thompson. He did not win this race either. In 1980 after serving as Juvenile Hearing Master in Washoe County where he became an expert in the field of juvenile law, abuse and neglect, he threw his hat in the ring for the Nevada Supreme Court and defeated Clark County District Judge Paul Goldman of Las Vegas. He won that seat and served on the Nevada Supreme Court with distinction for three terms, 18 years, as both Associate Justice and Chief Justice.

He was one of the few male members at the time on the Nevada Commission for Women, and he headed a Nevada Supreme Court study on gender bias in the judiciary. He was key in urging the Nevada Supreme Court to study racial discrimination in our State's judicial system.

I am honored to have Jackie Springer here, as well as Charlie's loving family. There are more people who knew Charlie attending in the gallery; these are people who worked with him, clerked for him on the court and others who got to know him. Growing up in southern Nevada, he was always a legend in my family. When we moved to northern Nevada, our families became social friends, and I was able to know him and Jackie well. The legend became a real person, and the more I knew him, the more I liked. I came to realize how much he cared about our State and the community. I urge the Body to pass Senate Concurrent Resolution No. 8.

Resolution adopted.

Resolution ordered transmitted to the Assembly.

By the Committee on Legislative Operations and Elections:

Senate Concurrent Resolution No. 9—Directing the Legislative Commission to appoint a committee to conduct an interim study of the requirements for reapportionment and redistricting in the State of Nevada.

Senator Ohrenschall moved that the resolution be referred to the Committee on Legislative Operations and Elections.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Finance:

Senate Bill No. 548—AN ACT making an appropriation to the Millennium Scholarship Trust Fund; and providing other matters properly relating thereto.

Senator Woodhouse moved that the bill be referred to the Committee on Finance.

Motion carried.

Assembly Bill No. 267.

Senator Ratti moved that the bill be referred to the Committee on Judiciary.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 30.

Bill read second time and ordered to third reading.

Assembly Bill No. 232.

Bill read second time.

The following amendment was proposed by the Committee on Health and Human Services:

Amendment No. 742.

SUMMARY—Makes various changes to provisions governing hospitals. (BDR 40-158)

AN ACT relating to hospitals; requiring certain hospitals to participate as a provider in the Medicare program; eliminating the designation of general hospitals; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Federal law requires a hospital that participates in Medicare to be primarily engaged in providing to inpatients, by or under the supervision of physicians, diagnostic and therapeutic services or rehabilitation services. (42 U.S.C. § 1395x(e)(1)) Existing federal regulations also require such a hospital that has an emergency medical department to provide certain emergency medical care, regardless of whether the patient is eligible for Medicare benefits or has the ability to pay. (42 C.F.R. § 489.24) Section 2 of this bill requires each hospital, other than a psychiatric, rural or critical access hospital, to participate as a provider for Medicare. Therefore, each such hospital would be required to: (1) be primarily engaged in providing diagnostic and therapeutic services or rehabilitation services to inpatients; and (2) if the hospital has an emergency medical department, provide certain emergency medical care. Section 21 of this bill exempts an existing hospital from those requirements until July 1, 2021. Sections 3-8, 10 and 11 of this bill make conforming changes.

Existing law provides for the designation of a hospital that offers services in at least medical, surgical and obstetric categories as a general hospital. (NRS 449.202) Section 9 of this bill eliminates this designation. Sections 1 and 12-20 of this bill make conforming changes to remove references to general hospitals. By removing that designation, certain provisions will apply to all hospitals. Specifically, those provisions concern: (1) the referral of a patient to certain surgical hospitals in which the referring physician has an ownership interest; (2) state assistance to publicly owned hospitals; and (3) the provision of inpatient care to persons with a mental illness or an intellectual disability and the responsibility to pay for certain care provided to such persons.

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

Section 1. NRS 439B.425 is hereby amended to read as follows:

439B.425 1. Except as otherwise provided in this section, a practitioner shall not refer a patient, for a service or for goods related to health care, to a health facility, medical laboratory, diagnostic imaging or radiation oncology center or commercial establishment in which the practitioner has a financial interest.

2. Subsection 1 does not apply if:

(a) The service or goods required by the patient are not otherwise available within a 30-mile radius of the office of the practitioner;

(b) The service or goods are provided pursuant to a referral to a practitioner who is participating in the health care plan of a health maintenance organization that has been issued a certificate of authority pursuant to chapter 695C of NRS;

(c) The practitioner is a member of a group practice and the referral is made to that group practice;

(d) The referral is made to a surgical center for ambulatory patients, as defined in NRS 449.019, that is licensed pursuant to chapter 449 of NRS;

(e) The referral is made by:

(1) A urologist for lithotripsy services; or

(2) A nephrologist for services and supplies for a renal dialysis;

(f) The financial interest represents an investment in a corporation that has shareholder equity of more than $100,000,000, regardless of whether the securities of the corporation are publicly traded; or

(g) The referral is made by a physician to a surgical hospital in which the physician has an ownership interest and:

(1) The surgical hospital is:

(I) Located in a county whose population is less than 100,000; and

(II) Licensed pursuant to chapter 449 of NRS as a surgical hospital and not as a medical hospital, obstetrical hospital, combined-categories hospital ~~[, general hospital]~~ or center for the treatment of trauma;

(2) The physician making the referral:

(I) Is authorized to perform medical services and has staff privileges at the surgical hospital; and

(II) Has disclosed the physician's ownership interest in the surgical hospital to the patient before making the referral;

(3) The ownership interest of the physician making the referral pertains to the surgical hospital in its entirety and is not limited to a department, subdivision or other portion of the hospital;

(4) Every physician who has an ownership interest in the surgical hospital has agreed to treat patients receiving benefits pursuant to Medicaid and Medicare;

(5) The terms of investment of each physician who has an ownership interest in the surgical hospital are not related to the volume or value of any referrals made by that physician;

(6) The payments received by each investor in the surgical hospital as a return on his or her investment are directly proportional to the relative amount of capital invested or shares owned by the investor in the hospital;

(7) None of the investors in the surgical hospital has received any financial assistance from the hospital or any other investor in the hospital for the purpose of investing in the hospital; and

(8) Either:

(I) The governing body of every other hospital that regularly provides surgical services to residents of the county in which the surgical hospital is located has issued its written general consent to the referral by such physicians of patients to that surgical hospital; or

(II) The board of county commissioners of the county in which the surgical hospital is located has issued a written declaration of its reasonable belief that the referral by such physicians of patients to that surgical hospital will not, during the 5-year period immediately following the commencement of such referrals, have a substantial adverse financial effect on any other hospital that regularly provides surgical services to residents of that county.

3. A person who violates the provisions of this section is guilty of a misdemeanor.

4. The provisions of this section do not prohibit a practitioner from owning and using equipment in his or her office solely to provide to his or her patients services or goods related to health care.

5. As used in this section:

(a) "Group practice" means two or more practitioners who organized as a business entity in accordance with the laws of this state to provide services related to health care, if:

(1) Each member of the group practice provides substantially all of the services related to health care that he or she routinely provides, including, without limitation, medical care, consultations, diagnoses and treatment, through the joint use of shared offices, facilities, equipment and personnel located at any site of the group practice;

(2) Substantially all of the services related to health care that are provided by the members of the group practice are provided through the group practice; and

(3) No member of the group practice receives compensation based directly on the volume of any services or goods related to health care which are referred to the group practice by that member.

(b) "Patient" means a person who consults with or is examined or interviewed by a practitioner or health facility for purposes of diagnosis or treatment.

(c) "Substantial adverse financial effect" includes, without limitation, a projected decline in the revenue of a hospital as a result of the loss of its surgical business, which is sufficient to cause a deficit in any cash balances, fund balances or retained earnings of the hospital.

Sec. 2. Chapter 449 of NRS is hereby amended by adding thereto a new section to read as follows:

A hospital, other than a psychiatric hospital, critical access hospital or rural hospital, shall enter into an agreement with the United States Secretary of Health and Human Services pursuant to 42 U.S.C. § 1395dd to accept payment through Medicare.

Sec. 3. NRS 449.029 is hereby amended to read as follows:

449.029 As used in NRS 449.029 to 449.240, inclusive, *and section 2 of this act,* unless the context otherwise requires, "medical facility" has the meaning ascribed to it in NRS 449.0151 and includes a program of hospice care described in NRS 449.196.

Sec. 4. NRS 449.0301 is hereby amended to read as follows:

449.0301 The provisions of NRS 449.029 to 449.2428, inclusive, *and section 2 of this act* do not apply to:

1. Any facility conducted by and for the adherents of any church or religious denomination for the purpose of providing facilities for the care and treatment of the sick who depend solely upon spiritual means through prayer for healing in the practice of the religion of the church or denomination, except

that such a facility shall comply with all regulations relative to sanitation and safety applicable to other facilities of a similar category.

2. Foster homes as defined in NRS 424.014.

3. Any medical facility, facility for the dependent or facility which is otherwise required by the regulations adopted by the Board pursuant to NRS 449.0303 to be licensed that is operated and maintained by the United States Government or an agency thereof.

Sec. 5. NRS 449.089 is hereby amended to read as follows:

449.089 1. Each license issued pursuant to NRS 449.029 to 449.2428, inclusive, *and section 2 of this act* expires on December 31 following its issuance and is renewable for 1 year upon reapplication and payment of all fees required pursuant to NRS 449.050 unless the Division finds, after an investigation, that the facility has not:

(a) Satisfactorily complied with the provisions of NRS 449.029 to 449.2428, inclusive, *and section 2 of this act* or the standards and regulations adopted by the Board;

(b) Obtained the approval of the Director of the Department of Health and Human Services before undertaking a project, if such approval is required by NRS 439A.100; or

(c) Conformed to all applicable local zoning regulations.

2. Each reapplication for an agency to provide personal care services in the home, an agency to provide nursing in the home, a community health worker pool, a facility for intermediate care, a facility for skilled nursing, a hospital described in 42 U.S.C. § 1395ww(d)(1)(B)(iv) , ~~[which accepts payment through Medicare,]~~ a psychiatric hospital that provides inpatient services to children, a psychiatric residential treatment facility, a residential facility for groups, a program of hospice care, a home for individual residential care, a facility for the care of adults during the day, a facility for hospice care, a nursing pool, a peer support recovery organization, the distinct part of a hospital which meets the requirements of a skilled nursing facility or nursing facility pursuant to 42 C.F.R. § 483.5, a hospital that provides swing-bed services as described in 42 C.F.R. § 482.58 or, if residential services are provided to children, a medical facility or facility for the treatment of abuse of alcohol or drugs must include, without limitation, a statement that the facility, hospital, agency, program, pool, organization or home is in compliance with the provisions of NRS 449.115 to 449.125, inclusive, and 449.174.

3. Each reapplication for an agency to provide personal care services in the home, a community health worker pool, a facility for intermediate care, a facility for skilled nursing, a facility for the care of adults during the day, a peer support recovery organization, a residential facility for groups or a home for individual residential care must include, without limitation, a statement that the holder of the license to operate, and the administrator or other person in charge and employees of, the facility, agency, pool, organization or home are in compliance with the provisions of NRS 449.093.

Sec. 6. NRS 449.119 is hereby amended to read as follows:

449.119 "Facility, hospital, agency, program or home" means an agency to provide personal care services in the home, an employment agency that contracts with persons to provide nonmedical services related to personal care to elderly persons or persons with disabilities in the home, an agency to provide nursing in the home, a community health worker pool, a facility for intermediate care, a facility for skilled nursing, a hospital described in 42 U.S.C. § 1395ww(d)(1)(B)(iv) , ~~[which accepts payment through Medicare,]~~ a psychiatric hospital that provides inpatient services to children, a psychiatric residential treatment facility, a peer support recovery organization, a residential facility for groups, a program of hospice care, a home for individual residential care, a facility for the care of adults during the day, a facility for hospice care, a nursing pool, the distinct part of a hospital which meets the requirements of a skilled nursing facility or nursing facility pursuant to 42 C.F.R. § 483.5, a hospital that provides swing-bed services as described in 42 C.F.R. § 482.58 or, if residential services are provided to children, a medical facility or facility for the treatment of abuse of alcohol or drugs.

Sec. 7. NRS 449.160 is hereby amended to read as follows:

449.160 1. The Division may deny an application for a license or may suspend or revoke any license issued under the provisions of NRS 449.029 to 449.2428, inclusive, *and section 2 of this act* upon any of the following grounds:

(a) Violation by the applicant or the licensee of any of the provisions of NRS 439B.410 or 449.029 to 449.245, inclusive, *and section 2 of this act* or of any other law of this State or of the standards, rules and regulations adopted thereunder.

(b) Aiding, abetting or permitting the commission of any illegal act.

(c) Conduct inimical to the public health, morals, welfare and safety of the people of the State of Nevada in the maintenance and operation of the premises for which a license is issued.

(d) Conduct or practice detrimental to the health or safety of the occupants or employees of the facility.

(e) Failure of the applicant to obtain written approval from the Director of the Department of Health and Human Services as required by NRS 439A.100 or as provided in any regulation adopted pursuant to NRS 449.001 to 449.430, inclusive, *and section 2 of this act,* and 449.435 to 449.531, inclusive, and chapter 449A of NRS if such approval is required.

(f) Failure to comply with the provisions of NRS 449.2486.

2. In addition to the provisions of subsection 1, the Division may revoke a license to operate a facility for the dependent if, with respect to that facility, the licensee that operates the facility, or an agent or employee of the licensee:

(a) Is convicted of violating any of the provisions of NRS 202.470;

(b) Is ordered to but fails to abate a nuisance pursuant to NRS 244.360, 244.3603 or 268.4124; or

(c) Is ordered by the appropriate governmental agency to correct a violation of a building, safety or health code or regulation but fails to correct the violation.

3. The Division shall maintain a log of any complaints that it receives relating to activities for which the Division may revoke the license to operate a facility for the dependent pursuant to subsection 2. The Division shall provide to a facility for the care of adults during the day:

(a) A summary of a complaint against the facility if the investigation of the complaint by the Division either substantiates the complaint or is inconclusive;

(b) A report of any investigation conducted with respect to the complaint; and

(c) A report of any disciplinary action taken against the facility.

➥ The facility shall make the information available to the public pursuant to NRS 449.2486.

4. On or before February 1 of each odd-numbered year, the Division shall submit to the Director of the Legislative Counsel Bureau a written report setting forth, for the previous biennium:

(a) Any complaints included in the log maintained by the Division pursuant to subsection 3; and

(b) Any disciplinary actions taken by the Division pursuant to subsection 2.

Sec. 8. NRS 449.163 is hereby amended to read as follows:

449.163 1. In addition to the payment of the amount required by NRS 449.0308, if a medical facility, facility for the dependent or facility which is required by the regulations adopted by the Board pursuant to NRS 449.0303 to be licensed violates any provision related to its licensure, including any provision of NRS 439B.410 or 449.029 to 449.2428, inclusive, *and section 2 of this act,* or any condition, standard or regulation adopted by the Board, the Division, in accordance with the regulations adopted pursuant to NRS 449.165, may:

(a) Prohibit the facility from admitting any patient until it determines that the facility has corrected the violation;

(b) Limit the occupancy of the facility to the number of beds occupied when the violation occurred, until it determines that the facility has corrected the violation;

(c) If the license of the facility limits the occupancy of the facility and the facility has exceeded the approved occupancy, require the facility, at its own expense, to move patients to another facility that is licensed;

(d) Impose an administrative penalty of not more than $5,000 per day for each violation, together with interest thereon at a rate not to exceed 10 percent per annum; and

(e) Appoint temporary management to oversee the operation of the facility and to ensure the health and safety of the patients of the facility, until:

(1) It determines that the facility has corrected the violation and has management which is capable of ensuring continued compliance with the applicable statutes, conditions, standards and regulations; or

(2) Improvements are made to correct the violation.

2. If the facility fails to pay any administrative penalty imposed pursuant to paragraph (d) of subsection 1, the Division may:

(a) Suspend the license of the facility until the administrative penalty is paid; and

(b) Collect court costs, reasonable attorney's fees and other costs incurred to collect the administrative penalty.

3. The Division may require any facility that violates any provision of NRS 439B.410 or 449.029 to 449.2428, inclusive, *and section 2 of this act,* or any condition, standard or regulation adopted by the Board to make any improvements necessary to correct the violation.

4. Any money collected as administrative penalties pursuant to paragraph (d) of subsection 1 must be accounted for separately and used to administer and carry out the provisions of NRS 449.001 to 449.430, inclusive, *and section 2 of this act,* 449.435 to 449.530, inclusive, and 449.760 and chapter 449A of NRS to protect the health, safety, well-being and property of the patients and residents of facilities in accordance with applicable state and federal standards or for any other purpose authorized by the Legislature.

Sec. 9. NRS 449.202 is hereby amended to read as follows:

449.202 ~~[1.]~~ A hospital which provides only one or two of the following categories of service:

~~[(a)]~~ *1.* Medical;

~~[(b)]~~ *2.* Surgical;

~~[(c)]~~ *3.* Obstetrical; or

~~[(d)]~~ *4.* Psychiatric,

➥ shall be designated a medical hospital, surgical hospital, obstetrical hospital or psychiatric hospital or combined-categories hospital, as the case may be.

~~[2. When a hospital offers services in medical, surgical and obstetrical categories, as a minimum, it shall be designated a general hospital.]~~

Sec. 10. NRS 449.220 is hereby amended to read as follows:

449.220 1. The Division may bring an action in the name of the State to enjoin any person, state or local government unit or agency thereof from operating or maintaining any facility within the meaning of NRS 449.029 to 449.2428, inclusive ~~[:]~~ *, and section 2 of this act:*

(a) Without first obtaining a license therefor; or

(b) After his or her license has been revoked or suspended by the Division.

2. It is sufficient in such action to allege that the defendant did, on a certain date and in a certain place, operate and maintain such a facility without a license.

Sec. 11. NRS 449.240 is hereby amended to read as follows:

449.240 The district attorney of the county in which the facility is located shall, upon application by the Division, institute and conduct the prosecution of any action for violation of any provisions of NRS 449.029 to 449.245, inclusive ~~[.]~~ *, and section 2 of this act.*

Sec. 12. NRS 449.400 is hereby amended to read as follows:

449.400 1. In order to provide state assistance for construction projects for publicly owned ~~[general]~~ hospitals, hospitals for the chronically ill and impaired, facilities for persons with intellectual disabilities, community mental health facilities, diagnostic or diagnostic and treatment centers, rehabilitation facilities, nursing homes and other facilities financed in part by federal funds in accordance with NRS 449.250 to 449.430, inclusive, and to promote maximum utilization of federal funds available for such projects, there is hereby created in the State Treasury a nonreverting trust fund to be known as the State Public Health Facilities Construction Assistance Fund. Money for the Fund may be provided from time to time by legislative appropriation.

2. The State Public Health Facilities Construction Assistance Fund must be administered by the State Department in accordance with the purposes and provisions of NRS 449.250 to 449.430, inclusive.

Sec. 13. NRS 449.410 is hereby amended to read as follows:

449.410 1. Money in the State Public Health Facilities Construction Assistance Fund must be used to supplement money from the Federal Government and money provided by the sponsor of a project for approved projects for the construction of publicly owned ~~[general]~~ hospitals, hospitals for the chronically ill or impaired, facilities for persons with intellectual disabilities, community mental health facilities, diagnostic or diagnostic and treatment centers, rehabilitation facilities, nursing homes and other facilities financed in part by federal funds pursuant to NRS 449.250 to 449.430, inclusive, and for no other purpose or purposes.

2. Applications for state assistance for construction projects must be submitted to the State Department for consideration in the manner prescribed in NRS 449.250 to 449.430, inclusive, for applications for federal assistance.

3. No project is entitled to receive state assistance unless it is entitled to receive federal assistance.

Sec. 14. NRS 433.334 is hereby amended to read as follows:

433.334 The Division may, by contract with ~~[general]~~ hospitals or other institutions having adequate facilities in the State of Nevada, provide for inpatient care of consumers with mental illness.

Sec. 15. NRS 433A.680 is hereby amended to read as follows:

433A.680 The expense of diagnostic, medical and surgical services furnished to a consumer admitted to a division facility by a person not on the staff of the facility, whether rendered while the consumer is in a ~~[general]~~ hospital, an outpatient of a ~~[general]~~ hospital or treated outside any hospital, must be paid by the consumer, the guardian or relatives responsible pursuant to NRS 433A.610 for the consumer's care. In the case of an indigent consumer or a consumer whose estate is inadequate to pay the expenses, the expenses must be charged to the county from which the admission to the division facility was made, if the consumer had, before admission, been a resident of that county. The expense of such diagnostic, medical and surgical services must not in any case be a charge against or paid by the State of Nevada, except when

in the opinion of the administrative officer of the division mental health facility to which the consumer is admitted payment should be made for nonresident indigent consumers and money is authorized pursuant to NRS 433.374 or 433B.230 and the money is authorized in approved budgets.

Sec. 16. NRS 433B.210 is hereby amended to read as follows:

433B.210 The Division may:

1. By contract with ~~[general]~~ hospitals or other institutions having adequate facilities in this State, provide for inpatient care of consumers with mental illness.

2. Contract with appropriate persons professionally qualified in the field of psychiatric mental health to provide inpatient and outpatient care for children with mental illness when it appears that they can be treated best in that manner.

Sec. 17. NRS 435.085 is hereby amended to read as follows:

435.085 The administrative officer of a division facility may authorize the transfer of a person with an intellectual disability or a person with a developmental disability to a ~~[general]~~ hospital for necessary diagnostic, medical or surgical services not available within the Division. All expenses incurred under this section must be paid as follows:

1. In the case of a person with an intellectual disability or person with a developmental disability who is judicially committed, the expenses must be paid by the person's parents or guardian to the extent of their reasonable financial ability as determined by the Administrator, and the remainder, if any, is a charge upon the county of the last known residence of the person with an intellectual disability or the person with a developmental disability;

2. In the case of a person with an intellectual disability or a person with a developmental disability admitted to a division facility pursuant to NRS 435.010, 435.020 and 435.030, the expenses are a charge upon the county from which a certificate was issued pursuant to subsection 2 of NRS 435.030; and

3. In the case of a person with an intellectual disability or a person with a developmental disability admitted to a division facility upon voluntary application as provided in NRS 435.081, the expenses must be paid by the parents or guardian to the extent of their reasonable financial ability as determined by the Administrator, and for the remainder, if any, the Administrator shall explore all reasonable alternative sources of payment.

Sec. 18. NRS 435.455 is hereby amended to read as follows:

435.455 The Division may, by contract with ~~[general]~~ hospitals or other institutions having adequate facilities in the State of Nevada, provide for inpatient care of persons with intellectual disabilities or persons with developmental disabilities.

Sec. 19. NRS 435.670 is hereby amended to read as follows:

435.670 The expense of diagnostic, medical and surgical services furnished to a consumer admitted to a division facility by a person not on the staff of the facility, whether rendered while the consumer is in a ~~[general]~~

hospital, an outpatient of a ~~[general]~~ hospital or treated outside any hospital, must be paid by the consumer, the guardian or relatives responsible pursuant to NRS 435.655 for the consumer's care. In the case of an indigent consumer or a consumer whose estate is inadequate to pay the expenses, the expenses must be charged to the county from which the admission to the division facility was made, if the consumer had, before admission, been a resident of that county. The expense of such diagnostic, medical and surgical services must not in any case be a charge against or paid by the State of Nevada, except when, in the opinion of the administrative officer of the division facility to which the consumer is admitted, payment should be made for nonresident indigent consumers and money is authorized pursuant to NRS 435.475 and the money is authorized in approved budgets.

Sec. 20. NRS 633.061 is hereby amended to read as follows:

633.061 "Hospital internship" means a 1-year internship in a ~~[general]~~ hospital conforming to the minimum standards for intern training established by the American Osteopathic Association.

Sec. 21. 1. ~~[A]~~ Notwithstanding the provisions of section 2 of this act, a hospital operating on the effective date of this act that is subject to the requirements of that section ~~[2 of this act]~~ is exempt from those requirements with respect to that hospital until July 1, 2021. Any additional facility operated by such a hospital at another location that commences operation after the effective date of this act must comply with the requirements of section 2 of this act.

2. A hospital described in subsection 1 shall:

(a) Apply to the United States Secretary of Health and Human Services to enter into an agreement required by that section on or before ~~[January 1, 2020;]~~ July 1, 2021; and

(b) Enter into such an agreement as soon as practicable after that date.

~~[2.]~~ 3. As used in this section, "hospital" has the meaning ascribed to it in NRS 449.012.

Sec. 22. The Legislative Counsel shall:

1. In preparing the Nevada Revised Statutes, use the authority set forth in subsection 10 of NRS 220.120 to remove any references to the term "general hospital"; and

2. In preparing supplements to the Nevada Administrative Code, appropriately remove any references to the term "general hospital."

Sec. 23. This act becomes effective ~~[:~~

~~1. Upon]~~ upon passage and approval . ~~[for the purpose of adopting any regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and~~

~~2. On January 1, 2020, for all other purposes.]~~

Senator Ratti moved the adoption of the amendment.

Remarks by Senator Ratti.

Amendment No. 742 to Assembly Bill No. 232 authorizes a hospital, other than a psychiatric, rural or critical access hospital, that has not entered into an agreement with the United States

Secretary of Health and Human Services as prescribed by section 2 of the bill to continue operating at its current location until July 1, 2021, without complying with such requirements; provides that any additional facility operated by such a hospital at another location that commences operation after the effective date of the bill must comply with the bill's requirements, and revises the effective date of the bill to "upon passage and approval."

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 254.

Bill read second time.

The following amendment was proposed by the Committee on Health and Human Services:

Amendment No. 743.

SUMMARY—Revises provisions relating to sickle cell disease and its variants. (BDR 40-20)

AN ACT relating to public health; requiring the Chief Medical Officer to establish and maintain a system for reporting certain information on sickle cell disease and its variants; authorizing administrative penalties for failure to report certain information; revising requirements concerning screening infants for sickle cell disease and its variants and sickle cell trait; requiring Medicaid to cover certain supplements recommended by the Pharmacy and Therapeutics Committee; requiring a health insurer to include coverage for certain prescription drugs and services for the treatment of sickle cell disease and its variants in its policies; authorizing a prescription of certain controlled substances for the treatment of acute pain caused by sickle cell disease and its variants for a longer period than otherwise allowed; requiring a health maintenance organization or managed care organization to take certain actions with respect to certain insureds diagnosed with sickle cell disease and its variants; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Chief Medical Officer to establish and maintain a system for the reporting of information on cancer and other neoplasms. (NRS 457.230) Existing law requires the chief administrative officer of each health care facility in this State to make available to the Chief Medical Officer or his or her representative the records of the health care facility for each reportable neoplasm. (NRS 457.250) Section 6 of this bill requires the Chief Medical Officer to establish and maintain a similar system for the reporting of information on sickle cell disease and its variants. Sections 6 and 7 of this bill require hospitals, medical laboratories, certain other facilities and providers of health care to report certain information prescribed by the State Board of Health concerning each case of sickle cell disease and its variants diagnosed or treated at the facility or by the provider, as applicable. Section 8 of this bill requires the chief administrative officer of each health care facility in this State to make available to the Chief Medical Officer or his or her representative the records of the health care facility for each case of sickle cell disease and its variants for abstraction by the Division of Public and Behavioral Health of the

Department of Health and Human Services. Section 8 also: (1) requires the State Board to adopt a schedule of fees which must be assessed to a health care facility for each case from which information is abstracted; and (2) provides for the imposition of an administrative penalty against a health care facility that fails to make the records of the facility for each case of sickle cell disease and its variants available for abstraction. Sections 9 and 10 of this bill provide for analysis, reporting and research based on the reported and abstracted information concerning cases of sickle cell disease and its variants. Sections 7, 11 and 15 of this bill provide for the confidentiality of reported information concerning patients, providers of health care and facilities. Section 12 of this bill provides immunity from liability for any person or organization who discloses information in good faith to the Division in accordance with the requirements of sections 6-8.

Existing law requires the State Board of Health to adopt regulations governing examinations and tests required for the discovery in infants of preventable or inheritable disorders, including tests for the presence of sickle cell anemia. (NRS 442.008) Section 13 of this bill requires those regulations to include a requirement that each newborn child who is susceptible to sickle cell disease and its variants and sickle cell trait to be tested and each biological parent of a child who tests positive for sickle cell disease and its variants to be offered to be tested for sickle cell disease and its variants and sickle cell trait. Section 13 also: (1) requires the parent or guardian of a child who tests positive for sickle cell disease and its variants or sickle cell trait to receive counseling concerning the nature, effects and treatment of sickle cell disease and its variants or sickle cell trait, as applicable; and (2) authorizes the parent or guardian of a newborn child to opt out in writing from such testing.

Existing law authorizes the Division to provide for the services of a laboratory to determine the presence of certain preventable or inheritable disorders in an infant. (NRS 422.008) Sections 13 and 13.5 of this bill instead require the Division to provide for such services when necessary to determine the presence of such disorders.

Existing law requires the Department to prescribe by regulation a list of preferred prescription drugs to be used for the Medicaid program. (NRS 422.4025) Section 18.8 of this bill requires that list to include prescription drugs essential for the treatment of sickle cell disease and its variants. Section 18.5 of this bill additionally requires the Department to prescribe by regulation a list of supplements essential for the treatment of sickle cell disease and its variants that must be covered by Medicaid for recipients of Medicaid who have sickle cell disease and its variants.

Sections 16, 17, 18.2, 21, 22, 24-27 and 29 of this bill require Medicaid and all other health insurers to cover certain services for persons diagnosed with sickle cell disease and its variants. Sections 26 and 29 of this bill additionally require a health maintenance organization or managed care organization to establish a plan for each insured under 18 years of age who has been diagnosed with sickle cell disease and its variants to transition the insured from pediatric

care to adult care when the enrollee reaches 18 years of age. Sections 14, 18.4, 18.6, 20, 23 and 28 of this bill make conforming changes.

Existing law prohibits a practitioner from prescribing an amount of a controlled substance listed in schedule II, III or IV for the treatment of acute pain that is intended to be used for more than 14 days. (NRS 639.2391) Section 18.9 of this bill authorizes a practitioner to issue a prescription for an amount of such a controlled substance for the treatment of acute pain caused by sickle cell disease and its variants that is intended to be used for not more than 30 days.

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

Section 1. Chapter 439 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 12, inclusive, of this act.

Sec. 2. *As used in sections 2 to 12, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 3, 4 and 4.5 of this act have the meanings ascribed to them in those sections.*

Sec. 3. *"Health care facility" has the meaning ascribed to it in NRS 162A.740.*

Sec. 4. *"Provider of health care" has the meaning ascribed to it in NRS 629.031.*

Sec. 4.5. *"Sickle cell disease and its variants" means an inherited disease caused by a mutation in a gene for hemoglobin in which red blood cells have an abnormal crescent shape that causes them to block small blood cells and die sooner than normal red blood cells and may include sickle cell disease, one or more variants or a combination thereof, as applicable.*

Sec. 5. (Deleted by amendment.)

Sec. 6. *1. The Chief Medical Officer shall, pursuant to the regulations adopted by the State Board of Health pursuant to section 7 of this act, establish and maintain a system for the reporting of information on sickle cell disease and its variants.*

2. The system established pursuant to subsection 1 must include a record of the cases of sickle cell disease and its variants which occur in this State along with such information concerning the cases as may be appropriate to form the basis for:

(a) Conducting comprehensive epidemiologic surveys of sickle cell disease and its variants in this State; and

(b) Evaluating the appropriateness of measures for the treatment of sickle cell disease and its variants.

3. Hospitals, medical laboratories and other facilities that provide screening, diagnostic or therapeutic services to patients with respect to sickle cell disease and its variants shall report the information prescribed by the State Board of Health pursuant to section 7 of this act to the system established pursuant to subsection 1.

4. Any provider of health care who diagnoses or provides treatment for sickle cell disease and its variants, except for cases directly referred to the

provider or cases that have been previously admitted to a hospital, medical laboratory or other facility described in subsection 3, shall report the information prescribed by the State Board of Health pursuant to section 7 of this act to the system established pursuant to subsection 1.

5. As used in this section, "medical laboratory" has the meaning ascribed to it in NRS 652.060.

Sec. 7. *The State Board of Health shall by regulation:*

1. Prescribe the form and manner in which information on cases of sickle cell disease and its variants must be reported;

2. Prescribe the information that must be included in each report, which must include, without limitation:

(a) The name, address, age and ethnicity of the patient;

(b) The variant of sickle cell disease with which the person has been diagnosed;

(c) The method of treatment, including, without limitation, any opioid prescribed for the patient and whether the patient has adequate access to that opioid;

(d) Any other diseases from which the patient suffers, including, without limitation, pneumonia, asthma and gall bladder disease;

(e) Information concerning the usage of and access to health care services by the patient; and

(f) If a patient diagnosed with sickle cell disease and its variants dies, his or her age at death; and

3. Establish a protocol for allowing appropriate access to and preserving the confidentiality of the records of patients needed for research into sickle cell disease and its variants.

Sec. 8. *1. The chief administrative officer of each health care facility in this State shall make available to the Chief Medical Officer or his or her representative the records of the health care facility for each case of sickle cell disease and its variants.*

2. The Division shall abstract from the records of a health care facility or shall require a health care facility to abstract from the records of the health care facility such information as is required by the State Board of Health. The Division shall compile the information in a timely manner and not later than 6 months after the Division abstracts the information or receives the abstracted information from the health care facility.

3. The State Board of Health shall by regulation adopt a schedule of fees which must be assessed to a health care facility for each case from which information is abstracted by the Division pursuant to subsection 2.

4. Any person who violates this section is subject to an administrative penalty established by regulation by the State Board of Health.

Sec. 9. *1. The Division shall publish reports based upon the information obtained pursuant to sections 6, 7 and 8 of this act and shall make other appropriate uses of the information to report and assess trends in the usage of and access to health care services by patients with sickle cell disease and its*

variants in a particular area or population, advance research and education concerning sickle cell disease and its variants and improve treatment of sickle cell disease and its variants and associated disorders. The reports must include, without limitation:

(a) Information concerning the locations in which patients diagnosed with sickle cell disease and its variants reside, the demographics of such patients and the utilization of health care services by such patients;

(b) The information described in paragraph (a), specific to patients diagnosed with sickle cell disease and its variants who are over 60 years of age; and

(c) The transition of patients diagnosed with sickle cell disease and its variants from pediatric to adult care upon reaching 18 years of age.

2. The Division shall provide any qualified researcher whom the Division determines is conducting valid scientific research with data from the reported information upon the researcher's:

(a) Compliance with appropriate conditions as established under the regulations of the State Board of Health; and

(b) Payment of a fee established by the Division by regulation to cover the cost of providing the data.

Sec. 10. *1. The Chief Medical Officer or a qualified person designated by the Administrator of the Division shall analyze the information obtained pursuant to sections 6, 7 and 8 of this act and the reports published pursuant to section 9 of this act to determine whether any trends exist in the usage of and access to health care services by patients with sickle cell disease and its variants in a particular area or population.*

2. If the Chief Medical Officer or the person designated pursuant to subsection 1 determines that a trend exists in the usage of and access to health care services by patients with sickle cell disease and its variants in a particular area or population, the Chief Medical Officer or the person designated pursuant to subsection 1 shall work with appropriate governmental, educational and research entities to investigate the trend, advance research in the trend and facilitate the treatment of sickle cell disease and its variants and associated disorders.

Sec. 10.5. *The Division shall apply for and accept any gifts, grants and donations available to:*

1. Carry out the provisions of sections 2 to 12, inclusive, of this act;

2. Coordinate and administer any other state programs relating to research concerning sickle cell disease and its variants or assistance to patients diagnosed with sickle cell disease and its variants;

3. Pay for research concerning sickle cell disease and its variants;

4. Provide education concerning sickle cell disease and its variants; and

5. Provide support to persons diagnosed with sickle cell disease and its variants.

Sec. 11. *The Division shall not reveal the identity of any patient, physician or health care facility which is involved in the reporting required by*

section 8 of this act unless the patient, physician or health care facility gives prior written consent to such a disclosure.

Sec. 12. *A person or governmental entity that provides information to the Division in accordance with sections 6, 7 and 8 of this act must not be held liable in a civil or criminal action for sharing confidential information unless the person or organization has done so in bad faith or with malicious purpose.*

Sec. 13. NRS 442.008 is hereby amended to read as follows:

442.008 1. The State Board of Health, upon the recommendation of the Chief Medical Officer ~~[.~~

~~(a) Shall adopt]~~ *, shall:*

(a) Adopt regulations governing examinations and tests required for the discovery in infants of preventable or inheritable disorders, including tests for the presence of sickle cell ~~[anemia; and]~~ *disease and its variants and sickle cell trait; and*

(b) ~~[May require]~~ *Require* the Division to provide for the services of a laboratory in accordance with NRS 442.009 *when necessary* to determine the presence of certain preventable or inheritable disorders in an infant pursuant to this section.

2. *Except as otherwise provided in subsection 5, the regulations adopted pursuant to paragraph (a) of subsection 1 concerning tests for the presence of sickle cell disease and its variants and sickle cell trait must require the screening for sickle cell disease and its variants and sickle cell trait of:*

(a) Each newborn child who is susceptible to sickle cell disease and its variants and sickle cell trait as determined by regulations of the State Board of Health; and

(b) Each biological parent of a child who wishes to undergo such screening.

3. Any physician, midwife, nurse, obstetric center or hospital of any nature attending or assisting in any way any infant, or the mother of any infant, at childbirth shall make or cause to be made an examination of the infant, including standard tests, to the extent required by regulations of the State Board of Health as is necessary for the discovery of conditions indicating such disorders.

~~[3.]~~ *4.* If the examination and tests reveal the existence of such conditions in an infant, the physician, midwife, nurse, obstetric center or hospital attending or assisting at the birth of the infant shall immediately:

(a) Report the condition to the Chief Medical Officer or the representative of the Chief Medical Officer, the local health officer of the county or city within which the infant or the mother of the infant resides, and the local health officer of the county or city in which the child is born; and

(b) Discuss the condition with the parent, parents or other persons responsible for the care of the infant and inform them of the treatment necessary for the amelioration of the condition.

~~[4.]~~ *5.* An infant is exempt from examination and testing if either parent files a written objection with the person or institution responsible for making the examination or tests.

6. As used in this section, "sickle cell disease and its variants" has the meaning ascribed to it in section 4.5 of this act.

Sec. 13.5. NRS 442.009 is hereby amended to read as follows:

442.009 1. Except as otherwise provided in this section, ~~[if the State Board of Health requires the Division to provide for the services of a laboratory to determine the presence of certain preventable or inheritable disorders in an infant pursuant to NRS 442.008,]~~ the Division shall contract with a laboratory *to provide the services of a laboratory when required pursuant to NRS 442.008* in the following order of priority:

(a) The State Public Health Laboratory;

(b) Any other qualified laboratory located within this State; or

(c) Any qualified laboratory located outside of this State.

2. The Division shall not contract with a laboratory in a lower category of priority unless the Division determines that:

(a) A laboratory in a higher category of priority is not capable of performing all the tests required to determine the presence of certain preventable or inheritable disorders in an infant pursuant to NRS 442.008; or

(b) The cost to the Division to contract with a laboratory in a higher category of priority is not financially reasonable or exceeds the amount of money available for that purpose.

3. For the purpose of determining the category of priority of a laboratory only, the Division is not required to comply with any requirement of competitive bidding or other restriction imposed on the procedure for awarding a contract.

Sec. 14. NRS 232.320 is hereby amended to read as follows:

232.320 1. The Director:

(a) Shall appoint, with the consent of the Governor, administrators of the divisions of the Department, who are respectively designated as follows:

(1) The Administrator of the Aging and Disability Services Division;

(2) The Administrator of the Division of Welfare and Supportive Services;

(3) The Administrator of the Division of Child and Family Services;

(4) The Administrator of the Division of Health Care Financing and Policy; and

(5) The Administrator of the Division of Public and Behavioral Health.

(b) Shall administer, through the divisions of the Department, the provisions of chapters 63, 424, 425, 427A, 432A to 442, inclusive, 446 to 450, inclusive, 458A and 656A of NRS, NRS 127.220 to 127.310, inclusive, 422.001 to 422.410, inclusive, *and sections 18.2, 18.4 and 18.5 of this act*, 422.580, 432.010 to 432.133, inclusive, 432B.621 to 432B.626, inclusive, 444.002 to 444.430, inclusive, and 445A.010 to 445A.055, inclusive, and all other provisions of law relating to the functions of the divisions of the Department, but is not responsible for the clinical activities of the Division of Public and Behavioral Health or the professional line activities of the other divisions.

(c) Shall administer any state program for persons with developmental disabilities established pursuant to the Developmental Disabilities Assistance and Bill of Rights Act of 2000, 42 U.S.C. §§ 15001 et seq.

(d) Shall, after considering advice from agencies of local governments and nonprofit organizations which provide social services, adopt a master plan for the provision of human services in this State. The Director shall revise the plan biennially and deliver a copy of the plan to the Governor and the Legislature at the beginning of each regular session. The plan must:

(1) Identify and assess the plans and programs of the Department for the provision of human services, and any duplication of those services by federal, state and local agencies;

(2) Set forth priorities for the provision of those services;

(3) Provide for communication and the coordination of those services among nonprofit organizations, agencies of local government, the State and the Federal Government;

(4) Identify the sources of funding for services provided by the Department and the allocation of that funding;

(5) Set forth sufficient information to assist the Department in providing those services and in the planning and budgeting for the future provision of those services; and

(6) Contain any other information necessary for the Department to communicate effectively with the Federal Government concerning demographic trends, formulas for the distribution of federal money and any need for the modification of programs administered by the Department.

(e) May, by regulation, require nonprofit organizations and state and local governmental agencies to provide information regarding the programs of those organizations and agencies, excluding detailed information relating to their budgets and payrolls, which the Director deems necessary for the performance of the duties imposed upon him or her pursuant to this section.

(f) Has such other powers and duties as are provided by law.

2. Notwithstanding any other provision of law, the Director, or the Director's designee, is responsible for appointing and removing subordinate officers and employees of the Department, other than the State Public Defender of the Office of State Public Defender who is appointed pursuant to NRS 180.010.

Sec. 15. NRS 239.010 is hereby amended to read as follows:

239.010 1. Except as otherwise provided in this section and NRS 1.4683, 1.4687, 1A.110, 3.2203, 41.071, 49.095, 49.293, 62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030, 62H.170, 62H.220, 62H.320, 75A.100, 75A.150, 76.160, 78.152, 80.113, 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413, 87A.200, 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345, 88A.7345, 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270, 116B.880, 118B.026, 119.260, 119.265, 119.267, 119.280, 119A.280, 119A.653, 119B.370, 119B.382, 120A.690, 125.130, 125B.140, 126.141, 126.161, 126.163, 126.730, 127.007, 127.057, 127.130, 127.140, 127.2817,

128.090, 130.312, 130.712, 136.050, 159.044, 159A.044, 172.075, 172.245, 176.01249, 176.015, 176.0625, 176.09129, 176.156, 176A.630, 178.39801, 178.4715, 178.5691, 179.495, 179A.070, 179A.165, 179D.160, 200.3771, 200.3772, 200.5095, 200.604, 202.3662, 205.4651, 209.392, 209.3925, 209.419, 209.521, 211A.140, 213.010, 213.040, 213.095, 213.131, 217.105, 217.110, 217.464, 217.475, 218A.350, 218E.625, 218F.150, 218G.130, 218G.240, 218G.350, 228.270, 228.450, 228.495, 228.570, 231.069, 231.1473, 233.190, 237.300, 239.0105, 239.0113, 239B.030, 239B.040, 239B.050, 239C.140, 239C.210, 239C.230, 239C.250, 239C.270, 240.007, 241.020, 241.030, 241.039, 242.105, 244.264, 244.335, 247.540, 247.550, 247.560, 250.087, 250.130, 250.140, 250.150, 268.095, 268.490, 268.910, 271A.105, 281.195, 281.805, 281A.350, 281A.680, 281A.685, 281A.750, 281A.755, 281A.780, 284.4068, 286.110, 287.0438, 289.025, 289.080, 289.387, 289.830, 293.4855, 293.5002, 293.503, 293.504, 293.558, 293.906, 293.908, 293.910, 293B.135, 293D.510, 331.110, 332.061, 332.351, 333.333, 333.335, 338.070, 338.1379, 338.1593, 338.1725, 338.1727, 348.420, 349.597, 349.775, 353.205, 353A.049, 353A.085, 353A.100, 353C.240, 360.240, 360.247, 360.255, 360.755, 361.044, 361.610, 365.138, 366.160, 368A.180, 370.257, 370.327, 372A.080, 378.290, 378.300, 379.008, 379.1495, 385A.830, 385B.100, 387.626, 387.631, 388.1455, 388.259, 388.501, 388.503, 388.513, 388.750, 388A.247, 388A.249, 391.035, 391.120, 391.925, 392.029, 392.147, 392.264, 392.271, 392.315, 392.317, 392.325, 392.327, 392.335, 392.850, 394.167, 394.1698, 394.447, 394.460, 394.465, 396.3295, 396.405, 396.525, 396.535, 396.9685, 398A.115, 408.3885, 408.3886, 408.3888, 408.5484, 412.153, 416.070, 422.2749, 422.305, 422A.342, 422A.350, 425.400, 427A.1236, 427A.872, 432.028, 432.205, 432B.175, 432B.280, 432B.290, 432B.407, 432B.430, 432B.560, 432B.5902, 433.534, 433A.360, 437.145, 439.840, 439B.420, 440.170, 441A.195, 441A.220, 441A.230, 442.330, 442.395, 442.735, 445A.665, 445B.570, 449.209, 449.245, 449A.112, 450.140, 453.164, 453.720, 453A.610, 453A.700, 458.055, 458.280, 459.050, 459.3866, 459.555, 459.7056, 459.846, 463.120, 463.15993, 463.240, 463.3403, 463.3407, 463.790, 467.1005, 480.365, 480.940, 481.063, 481.091, 481.093, 482.170, 482.5536, 483.340, 483.363, 483.575, 483.659, 483.800, 484E.070, 485.316, 501.344, 503.452, 522.040, 534A.031, 561.285, 571.160, 584.655, 587.877, 598.0964, 598.098, 598A.110, 599B.090, 603.070, 603A.210, 604A.710, 612.265, 616B.012, 616B.015, 616B.315, 616B.350, 618.341, 618.425, 622.310, 623.131, 623A.137, 624.110, 624.265, 624.327, 625.425, 625A.185, 628.418, 628B.230, 628B.760, 629.047, 629.069, 630.133, 630.30665, 630.336, 630A.555, 631.368, 632.121, 632.125, 632.405, 633.283, 633.301, 633.524, 634.055, 634.214, 634A.185, 635.158, 636.107, 637.085, 637B.288, 638.087, 638.089, 639.2485, 639.570, 640.075, 640A.220, 640B.730, 640C.400, 640C.600, 640C.620, 640C.745, 640C.760, 640D.190, 640E.340, 641.090, 641.325, 641A.191, 641A.289, 641B.170, 641B.460, 641C.760, 641C.800, 642.524, 643.189, 644A.870, 645.180, 645.625, 645A.050, 645A.082,

645B.060, 645B.092, 645C.220, 645C.225, 645D.130, 645D.135, 645E.300, 645E.375, 645G.510, 645H.320, 645H.330, 647.0945, 647.0947, 648.033, 648.197, 649.065, 649.067, 652.228, 654.110, 656.105, 661.115, 665.130, 665.133, 669.275, 669.285, 669A.310, 671.170, 673.450, 673.480, 675.380, 676A.340, 676A.370, 677.243, 679B.122, 679B.152, 679B.159, 679B.190, 679B.285, 679B.690, 680A.270, 681A.440, 681B.260, 681B.410, 681B.540, 683A.0873, 685A.077, 686A.289, 686B.170, 686C.306, 687A.110, 687A.115, 687C.010, 688C.230, 688C.480, 688C.490, 689A.696, 692A.117, 692C.190, 692C.3507, 692C.3536, 692C.3538, 692C.354, 692C.420, 693A.480, 693A.615, 696B.550, 696C.120, 703.196, 704B.320, 704B.325, 706.1725, 706A.230, 710.159, 711.600, *and section 11 of this act*, sections 35, 38 and 41 of chapter 478, Statutes of Nevada 2011 and section 2 of chapter 391, Statutes of Nevada 2013 and unless otherwise declared by law to be confidential, all public books and public records of a governmental entity must be open at all times during office hours to inspection by any person, and may be fully copied or an abstract or memorandum may be prepared from those public books and public records. Any such copies, abstracts or memoranda may be used to supply the general public with copies, abstracts or memoranda of the records or may be used in any other way to the advantage of the governmental entity or of the general public. This section does not supersede or in any manner affect the federal laws governing copyrights or enlarge, diminish or affect in any other manner the rights of a person in any written book or record which is copyrighted pursuant to federal law.

2. A governmental entity may not reject a book or record which is copyrighted solely because it is copyrighted.

3. A governmental entity that has legal custody or control of a public book or record shall not deny a request made pursuant to subsection 1 to inspect or copy or receive a copy of a public book or record on the basis that the requested public book or record contains information that is confidential if the governmental entity can redact, delete, conceal or separate the confidential information from the information included in the public book or record that is not otherwise confidential.

4. A person may request a copy of a public record in any medium in which the public record is readily available. An officer, employee or agent of a governmental entity who has legal custody or control of a public record:

(a) Shall not refuse to provide a copy of that public record in a readily available medium because the officer, employee or agent has already prepared or would prefer to provide the copy in a different medium.

(b) Except as otherwise provided in NRS 239.030, shall, upon request, prepare the copy of the public record and shall not require the person who has requested the copy to prepare the copy himself or herself.

Sec. 16. NRS 287.010 is hereby amended to read as follows:

287.010 1. The governing body of any county, school district, municipal corporation, political subdivision, public corporation or other local governmental agency of the State of Nevada may:

(a) Adopt and carry into effect a system of group life, accident or health insurance, or any combination thereof, for the benefit of its officers and employees, and the dependents of officers and employees who elect to accept the insurance and who, where necessary, have authorized the governing body to make deductions from their compensation for the payment of premiums on the insurance.

(b) Purchase group policies of life, accident or health insurance, or any combination thereof, for the benefit of such officers and employees, and the dependents of such officers and employees, as have authorized the purchase, from insurance companies authorized to transact the business of such insurance in the State of Nevada, and, where necessary, deduct from the compensation of officers and employees the premiums upon insurance and pay the deductions upon the premiums.

(c) Provide group life, accident or health coverage through a self-insurance reserve fund and, where necessary, deduct contributions to the maintenance of the fund from the compensation of officers and employees and pay the deductions into the fund. The money accumulated for this purpose through deductions from the compensation of officers and employees and contributions of the governing body must be maintained as an internal service fund as defined by NRS 354.543. The money must be deposited in a state or national bank or credit union authorized to transact business in the State of Nevada. Any independent administrator of a fund created under this section is subject to the licensing requirements of chapter 683A of NRS, and must be a resident of this State. Any contract with an independent administrator must be approved by the Commissioner of Insurance as to the reasonableness of administrative charges in relation to contributions collected and benefits provided. The provisions of NRS 687B.408, 689B.030 to 689B.050, inclusive, *and section 21 of this act* and 689B.287 apply to coverage provided pursuant to this paragraph, except that the provisions of NRS 689B.0378 and 689B.03785 only apply to coverage for active officers and employees of the governing body, or the dependents of such officers and employees.

(d) Defray part or all of the cost of maintenance of a self-insurance fund or of the premiums upon insurance. The money for contributions must be budgeted for in accordance with the laws governing the county, school district, municipal corporation, political subdivision, public corporation or other local governmental agency of the State of Nevada.

2. If a school district offers group insurance to its officers and employees pursuant to this section, members of the board of trustees of the school district must not be excluded from participating in the group insurance. If the amount of the deductions from compensation required to pay for the group insurance exceeds the compensation to which a trustee is entitled, the difference must be paid by the trustee.

3. In any county in which a legal services organization exists, the governing body of the county, or of any school district, municipal corporation, political subdivision, public corporation or other local governmental agency of

the State of Nevada in the county, may enter into a contract with the legal services organization pursuant to which the officers and employees of the legal services organization, and the dependents of those officers and employees, are eligible for any life, accident or health insurance provided pursuant to this section to the officers and employees, and the dependents of the officers and employees, of the county, school district, municipal corporation, political subdivision, public corporation or other local governmental agency.

4. If a contract is entered into pursuant to subsection 3, the officers and employees of the legal services organization:

(a) Shall be deemed, solely for the purposes of this section, to be officers and employees of the county, school district, municipal corporation, political subdivision, public corporation or other local governmental agency with which the legal services organization has contracted; and

(b) Must be required by the contract to pay the premiums or contributions for all insurance which they elect to accept or of which they authorize the purchase.

5. A contract that is entered into pursuant to subsection 3:

(a) Must be submitted to the Commissioner of Insurance for approval not less than 30 days before the date on which the contract is to become effective.

(b) Does not become effective unless approved by the Commissioner.

(c) Shall be deemed to be approved if not disapproved by the Commissioner within 30 days after its submission.

6. As used in this section, "legal services organization" means an organization that operates a program for legal aid and receives money pursuant to NRS 19.031.

Sec. 17. NRS 287.04335 is hereby amended to read as follows:

287.04335 If the Board provides health insurance through a plan of self-insurance, it shall comply with the provisions of NRS 687B.409, 689B.255, 695G.150, 695G.160, 695G.162, 695G.164, 695G.1645, 695G.1665, 695G.167, 695G.170 to 695G.173, inclusive, 695G.177, 695G.200 to 695G.230, inclusive, 695G.241 to 695G.310, inclusive, and 695G.405, *and section 29 of this act* in the same manner as an insurer that is licensed pursuant to title 57 of NRS is required to comply with those provisions.

Sec. 18. Chapter 422 of NRS is hereby amended by adding thereto the provisions set forth as sections 18.2, 18.4 and 18.5 of this act.

Sec. 18.2. *1. The Director shall include in the State Plan for Medicaid a requirement that the State pay the nonfederal share of expenditures incurred for:*

(a) ~~[Case]~~ Necessary case management services for a participant in Medicaid who has been diagnosed with sickle cell disease and its variants.

(b) ~~[Comprehensive]~~ Medically necessary care for a participant in Medicaid ~~[under 18 years of age]~~ who has been diagnosed with sickle cell disease and its variants including, without limitation, visits to specialists for evaluation, counseling, treatment for mental illness and education as needed.

(c) ~~[At least two visits per year to a comprehensive clinic for sickle cell disease and its variants. Such coverage must include, without limitation, coverage for all services provided during such a visit.~~

~~(d) Any services]~~ Services necessary to transition a recipient of Medicaid who is less than 18 years of age and has been diagnosed with sickle cell disease and its variants from pediatric care to adult care when the recipient reaches 18 years of age.

~~[(e)]~~ (d) Unlimited refills of each prescription drug for the treatment of sickle cell disease and its variants included on the list of preferred prescription drugs developed for the Medicaid program pursuant to NRS 422.4025.

~~[(f)]~~ (e) Each supplement included in the list of supplements prescribed pursuant to section 18.5 of this act, including, without limitation, unlimited amounts of each such supplement.

2. As used in this section:

(a) "Case management services" means medical or other health care management services to assist patients and providers of health care, including, without limitation, identifying and facilitating additional resources and treatments, providing information about treatment options and facilitating communication between providers of services to a patient.

(b) "Sickle cell disease and its variants" has the meaning ascribed to it in section 4.5 of this act.

Sec. 18.4. *"Sickle cell disease and its variants" has the meaning ascribed to it in section 4.5 of this act.*

Sec. 18.5. *1. The Department, upon the recommendation of the Committee, shall prescribe by regulation a list of nonprescription supplements essential for treating sickle cell disease and its variants that must be covered by Medicaid for recipients who have sickle cell disease and its variants. ~~[The list must include, without limitation, any supplement determined by the Committee to be essential for treating sickle cell disease and its variants.]~~*

2. The Committee shall review the list of supplements prescribed pursuant to subsection 1 at least biennially to determine whether to recommend adding or removing any supplements from the list and report those recommendations to the Department.

Sec. 18.6. NRS 422.401 is hereby amended to read as follows:

422.401 As used in NRS 422.401 to 422.406, inclusive, *and sections 18.4 and 18.5 of this act,* unless the context otherwise requires, the words and terms defined in NRS 422.4015 and 422.402 *and section 18.4 of this act* have the meanings ascribed to them in those sections.

Sec. 18.8. NRS 422.4025 is hereby amended to read as follows:

422.4025 1. The Department shall, by regulation, develop a list of preferred prescription drugs to be used for the Medicaid program.

2. The Department shall, by regulation, establish a list of prescription drugs which must be excluded from any restrictions that are imposed on drugs that are on the list of preferred prescription drugs established pursuant to

subsection 1. The list established pursuant to this subsection must include, without limitation:

(a) Atypical and typical antipsychotic medications that are prescribed for the treatment of a mental illness of a patient who is receiving services pursuant to Medicaid;

(b) Prescription drugs that are prescribed for the treatment of the human immunodeficiency virus or acquired immunodeficiency syndrome, including, without limitation, protease inhibitors and antiretroviral medications;

(c) Anticonvulsant medications;

(d) Antirejection medications for organ transplants;

(e) Antidiabetic medications;

(f) Antihemophilic medications; and

(g) Any prescription drug which the Committee identifies as appropriate for exclusion from any restrictions that are imposed on drugs that are on the list of preferred prescription drugs.

3. The regulations must provide that the Committee makes the final determination of:

(a) Whether a class of therapeutic prescription drugs is included on the list of preferred prescription drugs and is excluded from any restrictions that are imposed on drugs that are on the list of preferred prescription drugs;

(b) Which therapeutically equivalent prescription drugs will be reviewed for inclusion on the list of preferred prescription drugs and for exclusion from any restrictions that are imposed on drugs that are on the list of preferred prescription drugs; and

(c) Which prescription drugs should be excluded from any restrictions that are imposed on drugs that are on the list of preferred prescription drugs based on continuity of care concerning a specific diagnosis, condition, class of therapeutic prescription drugs or medical specialty.

4. *The list of preferred prescription drugs established pursuant to subsection 1 must include, without limitation, any prescription drug determined by the Committee to be essential for treating sickle cell disease and its variants.*

5. The regulations must provide that each new pharmaceutical product and each existing pharmaceutical product for which there is new clinical evidence supporting its inclusion on the list of preferred prescription drugs must be made available pursuant to the Medicaid program with prior authorization until the Committee reviews the product or the evidence.

Sec. 18.9. NRS 639.2391 is hereby amended to read as follows:

639.2391 1. If a practitioner, other than a veterinarian, prescribes or dispenses to a patient for the treatment of pain a quantity of controlled substance that exceeds the amount prescribed by this subsection, the practitioner must document in the medical record of the patient the reasons for prescribing that quantity. A practitioner shall document the information required by this subsection if the practitioner prescribes for or dispenses for the treatment of pain:

(a) In any period of 365 consecutive days, a larger quantity of a controlled substance listed in schedule II, III or IV than will be used in 365 days if the patient adheres to the dose prescribed; or

(b) At any one time, a larger quantity of a controlled substance listed in schedule II, III or IV than will be used in 90 days if the patient adheres to the dose prescribed.

2. A practitioner, other than a veterinarian, shall not issue an initial prescription of a controlled substance listed in schedule II, III or IV for the treatment of acute pain that prescribes:

(a) ~~[An]~~ *Except as otherwise provided in subsection 3, an* amount of the controlled substance that is intended to be used for more than 14 days; and

(b) If the controlled substance is an opioid and a prescription for an opioid has never been issued to the patient or the most recent prescription issued to the patient for an opioid was issued more than 19 days before the date of the initial prescription for the treatment of acute pain, a dose of the controlled substance that exceeds 90 morphine milligram equivalents per day. For the purposes of this paragraph, the daily dose of a controlled substance must be calculated in accordance with the most recent guidelines prescribed by the Centers for Disease Control and Prevention of the United States Department of Health and Human Services.

3. A practitioner, other than a veterinarian, may issue an initial prescription for a controlled substance listed in schedule II, III or IV for the treatment of acute pain caused by sickle cell disease and its variants, as defined in section 4.5 of this act, in an amount that is intended to be used for not more than 30 days.

Sec. 19. Chapter 689A of NRS is hereby amended by adding thereto a new section to read as follows:

1. An insurer that issues a policy of health insurance shall include in the policy coverage for:

(a) ~~[Case]~~ Necessary case management services for an insured diagnosed with sickle cell disease and its variants; and

(b) ~~[Care]~~ Medically necessary care for an insured ~~[under 18 years of age]~~ who has been diagnosed with sickle cell disease and its variants . ~~[; and~~

~~*(c) Medically necessary services provided during at least two visits per year to a comprehensive clinic for sickle cell disease and its variants for an insured who has been diagnosed with sickle cell disease and its variants.]*~~

2. An insurer that issues a policy of health insurance which provides coverage for prescription drugs shall include in the policy coverage for medically necessary prescription drugs to treat sickle cell disease and its variants.

3. An insurer may use medical management techniques, including, without limitation, any available clinical evidence, to determine the frequency of or treatment relating to any benefit required by this section or the type of provider of health care to use for such treatment.

4. As used in this section:

(a) "Case management services" means medical or other health care management services to assist patients and providers of health care, including, without limitation, identifying and facilitating additional resources and treatments, providing information about treatment options and facilitating communication between providers of services to a patient.

(b) "Medical management technique" means a practice which is used to control the cost or utilization of health care services. The term includes, without limitation, the use of step therapy, prior authorization or categorizing drugs and devices based on cost, type or method of administration.

(c) "Medically necessary" has the meaning ascribed to it in NRS 695G.055.

(d) "Sickle cell disease and its variants" has the meaning ascribed to it in section 4.5 of this act.

Sec. 20. NRS 689A.330 is hereby amended to read as follows:

689A.330 If any policy is issued by a domestic insurer for delivery to a person residing in another state, and if the insurance commissioner or corresponding public officer of that other state has informed the Commissioner that the policy is not subject to approval or disapproval by that officer, the Commissioner may by ruling require that the policy meet the standards set forth in NRS 689A.030 to 689A.320, inclusive ~~[.]~~ *, and section 19 of this act.*

Sec. 21. Chapter 689B of NRS is hereby amended by adding thereto a new section to read as follows:

1. An insurer that issues a policy of group health insurance shall include in the policy coverage for:

(a) ~~[Case]~~ Necessary case management services for an insured who has been diagnosed with sickle cell disease and its variants; and

(b) ~~[Care]~~ Medically necessary care for an insured ~~[under 18 years of age]~~ who has been diagnosed with sickle cell disease and its variants. ~~[; and~~

~~*(c) Medically necessary services provided during at least two visits per year to a comprehensive clinic for sickle cell disease and its variants for an insured who has been diagnosed with sickle cell disease and its variants.]*~~

2. An insurer that issues a policy of group health insurance which provides coverage for prescription drugs shall include in the policy coverage for medically necessary prescription drugs to treat sickle cell disease and its variants.

3. An insurer may use medical management techniques, including, without limitation, any available clinical evidence, to determine the frequency of or treatment relating to any benefit required by this section or the type of provider of health care to use for such treatment.

4. As used in this section:

(a) "Case management services" means medical or other health care management services to assist patients and providers of health care, including, without limitation, identifying and facilitating additional resources and treatments, providing information about treatment options and facilitating communication between providers of services to a patient.

(b) "Medical management technique" means a practice which is used to control the cost or utilization of health care services. The term includes, without limitation, the use of step therapy, prior authorization or categorizing drugs and devices based on cost, type or method of administration.

(c) "Medically necessary" has the meaning ascribed to it in NRS 695G.055.

(d) "Sickle cell disease and its variants" has the meaning ascribed to it in section 4.5 of this act.

Sec. 22. Chapter 689C of NRS is hereby amended by adding thereto a new section to read as follows:

1. A carrier that issues a health benefit plan shall include in the plan coverage for:

(a) ~~[Case]~~ Necessary case management services for an insured who has been diagnosed with sickle cell disease and its variants; and

(b) ~~[Care]~~ Medically necessary care for an insured ~~[under 18 years of age]~~ who has been diagnosed with sickle cell disease and its variants. ~~[; and~~

~~*(c) Medically necessary services provided during at least two visits per year to a comprehensive clinic for sickle cell disease and its variants for an insured who has been diagnosed with sickle cell disease and its variants.]*~~

2. A carrier that issues a health benefit plan which provides coverage for prescription drugs shall include in the plan coverage for medically necessary prescription drugs to treat sickle cell disease and its variants.

3. A carrier may use medical management techniques, including, without limitation, any available clinical evidence, to determine the frequency of or treatment relating to any benefit required by this section or the type of provider of health care to use for such treatment.

4. As used in this section:

(a) "Case management services" means medical or other health care management services to assist patients and providers of health care, including, without limitation, identifying and facilitating additional resources and treatments, providing information about treatment options and facilitating communication between providers of services to a patient.

(b) "Medical management technique" means a practice which is used to control the cost or utilization of health care services. The term includes, without limitation, the use of step therapy, prior authorization or categorizing drugs and devices based on cost, type or method of administration.

(c) "Medically necessary" has the meaning ascribed to it in NRS 695G.055.

(d) "Sickle cell disease and its variants" has the meaning ascribed to it in section 4.5 of this act.

Sec. 23. NRS 689C.425 is hereby amended to read as follows:

689C.425 A voluntary purchasing group and any contract issued to such a group pursuant to NRS 689C.360 to 689C.600, inclusive, are subject to the provisions of NRS 689C.015 to 689C.355, inclusive, *and section 22 of this act*, to the extent applicable and not in conflict with the express provisions of NRS 687B.408 and 689C.360 to 689C.600, inclusive.

Sec. 24. Chapter 695A of NRS is hereby amended by adding thereto a new section to read as follows:

1. A society that issues a benefit contract shall include in the benefit contract coverage for:

(a) ~~[Case]~~ Necessary case management services for an insured who has been diagnosed with sickle cell disease and its variants; and

(b) ~~[Care]~~ Medically necessary care for an insured ~~[under 18 years of age]~~ who has been diagnosed with sickle cell disease and its variants . ~~[; and~~

~~(c) Medically necessary services provided during at least two visits per year to a comprehensive clinic for sickle cell disease and its variants for an insured who has been diagnosed with sickle cell disease and its variants.]~~

2. A society that issues a benefit contract which provides coverage for prescription drugs shall include in the benefit contract coverage for medically necessary prescription drugs to treat sickle cell disease and its variants.

3. A society may use medical management techniques, including, without limitation, any available clinical evidence, to determine the frequency of or treatment relating to any benefit required by this section or the type of provider of health care to use for such treatment.

4. As used in this section:

(a) "Case management services" means medical or other health care management services to assist patients and providers of health care, including, without limitation, identifying and facilitating additional resources and treatments, providing information about treatment options and facilitating communication between providers of services to a patient.

(b) "Medical management technique" means a practice which is used to control the cost or utilization of health care services. The term includes, without limitation, the use of step therapy, prior authorization or categorizing drugs and devices based on cost, type or method of administration.

(c) "Medically necessary" has the meaning ascribed to it in NRS 695G.055.

(d) "Sickle cell disease and its variants" has the meaning ascribed to it in section 4.5 of this act.

Sec. 25. Chapter 695B of NRS is hereby amended by adding thereto a new section to read as follows:

1. A hospital or medical service corporation that issues a policy of health insurance shall include in the policy coverage for:

(a) ~~[Case]~~ Necessary case management services for an insured who has been diagnosed with sickle cell disease and its variants ~~[.]~~ ; and

(b) ~~[Care]~~ Medically necessary care for an insured ~~[under 18 years of age]~~ who has been diagnosed with sickle cell disease and its variants . ~~[; and~~

~~(c) Medically necessary services provided during at least two visits per year to a comprehensive clinic for sickle cell disease and its variants for an insured who has been diagnosed with sickle cell disease and its variants.]~~

2. A hospital or medical service corporation that issues a policy of health insurance which provides coverage for prescription drugs shall include in the

policy coverage for medically necessary prescription drugs to treat sickle cell disease and its variants.

3. A hospital or medical service corporation may use medical management techniques, including, without limitation, any available clinical evidence, to determine the frequency of or treatment relating to any benefit required by this section or the type of provider of health care to use for such treatment.

4. As used in this section:

(a) "Case management services" means medical or other health care management services to assist patients and providers of health care, including, without limitation, identifying and facilitating additional resources and treatments, providing information about treatment options and facilitating communication between providers of services to a patient.

(b) "Medical management technique" means a practice which is used to control the cost or utilization of health care services. The term includes, without limitation, the use of step therapy, prior authorization or categorizing drugs and devices based on cost, type or method of administration.

(c) "Medically necessary" has the meaning ascribed to it in NRS 695G.055.

(d) "Sickle cell disease and its variants" has the meaning ascribed to it in section 4.5 of this act.

Sec. 26. Chapter 695C of NRS is hereby amended by adding thereto a new section to read as follows:

1. A health maintenance organization that issues a health care plan shall include in the plan coverage for:

(a) ~~[Case]~~ Necessary case management services for an enrollee who has been diagnosed with sickle cell disease and its variants; and

(b) ~~[Care]~~ Medically necessary care for an enrollee ~~[under 18 years of age]~~ who has been diagnosed with sickle cell disease and its variants . ~~[; and~~

~~(c) Medically necessary services provided during at least two visits per year to a comprehensive clinic for sickle cell disease and its variants for an enrollee who has been diagnosed with sickle cell disease and its variants.]~~

2. A health maintenance organization that issues a health care plan which provides coverage for prescription drugs shall include in the plan coverage for medically necessary prescription drugs to treat sickle cell disease and its variants.

3. A health maintenance organization shall establish a plan for each enrollee under 18 years of age who has been diagnosed with sickle cell disease and its variants to transition the enrollee from pediatric care to adult care when the enrollee reaches 18 years of age.

4. A health maintenance organization may use medical management techniques, including, without limitation, any available clinical evidence, to determine the frequency of or treatment relating to any benefit required by this section or the type of provider of health care to use for such treatment.

5. As used in this section:

(a) "Case management services" means medical or other health care management services to assist patients and providers of health care, including, without limitation, identifying and facilitating additional resources and treatments, providing information about treatment options and facilitating communication between providers of services to a patient.

(b) "Medical management technique" means a practice which is used to control the cost or utilization of health care services. The term includes, without limitation, the use of step therapy, prior authorization or categorizing drugs and devices based on cost, type or method of administration.

(c) "Medically necessary" has the meaning ascribed to it in NRS 695G.055.

(d) "Sickle cell disease and its variants" has the meaning ascribed to it in section 4.5 of this act.

Sec. 27. NRS 695C.050 is hereby amended to read as follows:

695C.050 1. Except as otherwise provided in this chapter or in specific provisions of this title, the provisions of this title are not applicable to any health maintenance organization granted a certificate of authority under this chapter. This provision does not apply to an insurer licensed and regulated pursuant to this title except with respect to its activities as a health maintenance organization authorized and regulated pursuant to this chapter.

2. Solicitation of enrollees by a health maintenance organization granted a certificate of authority, or its representatives, must not be construed to violate any provision of law relating to solicitation or advertising by practitioners of a healing art.

3. Any health maintenance organization authorized under this chapter shall not be deemed to be practicing medicine and is exempt from the provisions of chapter 630 of NRS.

4. The provisions of NRS 695C.110, 695C.125, 695C.1691, 695C.1693, 695C.170, 695C.1703, 695C.1705, 695C.1709 to 695C.173, inclusive, 695C.1733, 695C.17335, 695C.1734, 695C.1751, 695C.1755, 695C.176 to 695C.200, inclusive, and 695C.265 do not apply to a health maintenance organization that provides health care services through managed care to recipients of Medicaid under the State Plan for Medicaid or insurance pursuant to the Children's Health Insurance Program pursuant to a contract with the Division of Health Care Financing and Policy of the Department of Health and Human Services. This subsection does not exempt a health maintenance organization from any provision of this chapter for services provided pursuant to any other contract.

5. The provisions of NRS 695C.1694 to 695C.1698, inclusive, 695C.1708, 695C.1731, 695C.17345, 695C.1735, 695C.1745 and 695C.1757 *and section 26 of this act* apply to a health maintenance organization that provides health care services through managed care to recipients of Medicaid under the State Plan for Medicaid.

Sec. 28. NRS 695C.330 is hereby amended to read as follows:

695C.330 1. The Commissioner may suspend or revoke any certificate of authority issued to a health maintenance organization pursuant to the

provisions of this chapter if the Commissioner finds that any of the following conditions exist:

(a) The health maintenance organization is operating significantly in contravention of its basic organizational document, its health care plan or in a manner contrary to that described in and reasonably inferred from any other information submitted pursuant to NRS 695C.060, 695C.070 and 695C.140, unless any amendments to those submissions have been filed with and approved by the Commissioner;

(b) The health maintenance organization issues evidence of coverage or uses a schedule of charges for health care services which do not comply with the requirements of NRS 695C.1691 to 695C.200, inclusive, *and section 26 of this act* or 695C.207;

(c) The health care plan does not furnish comprehensive health care services as provided for in NRS 695C.060;

(d) The Commissioner certifies that the health maintenance organization:

(1) Does not meet the requirements of subsection 1 of NRS 695C.080; or

(2) Is unable to fulfill its obligations to furnish health care services as required under its health care plan;

(e) The health maintenance organization is no longer financially responsible and may reasonably be expected to be unable to meet its obligations to enrollees or prospective enrollees;

(f) The health maintenance organization has failed to put into effect a mechanism affording the enrollees an opportunity to participate in matters relating to the content of programs pursuant to NRS 695C.110;

(g) The health maintenance organization has failed to put into effect the system required by NRS 695C.260 for:

(1) Resolving complaints in a manner reasonably to dispose of valid complaints; and

(2) Conducting external reviews of adverse determinations that comply with the provisions of NRS 695G.241 to 695G.310, inclusive;

(h) The health maintenance organization or any person on its behalf has advertised or merchandised its services in an untrue, misrepresentative, misleading, deceptive or unfair manner;

(i) The continued operation of the health maintenance organization would be hazardous to its enrollees or creditors or to the general public;

(j) The health maintenance organization fails to provide the coverage required by NRS 695C.1691; or

(k) The health maintenance organization has otherwise failed to comply substantially with the provisions of this chapter.

2. A certificate of authority must be suspended or revoked only after compliance with the requirements of NRS 695C.340.

3. If the certificate of authority of a health maintenance organization is suspended, the health maintenance organization shall not, during the period of that suspension, enroll any additional groups or new individual contracts,

unless those groups or persons were contracted for before the date of suspension.

4. If the certificate of authority of a health maintenance organization is revoked, the organization shall proceed, immediately following the effective date of the order of revocation, to wind up its affairs and shall conduct no further business except as may be essential to the orderly conclusion of the affairs of the organization. It shall engage in no further advertising or solicitation of any kind. The Commissioner may, by written order, permit such further operation of the organization as the Commissioner may find to be in the best interest of enrollees to the end that enrollees are afforded the greatest practical opportunity to obtain continuing coverage for health care.

Sec. 29. Chapter 695G of NRS is hereby amended by adding thereto a new section to read as follows:

1. A managed care organization that issues a health care plan shall include in the plan coverage for:

(a) ~~[Case]~~ Necessary case management services for an insured diagnosed with sickle cell disease and its variants; and

(b) ~~[Care]~~ Medically necessary care for an insured ~~[under 18 years of age]~~ who has been diagnosed with sickle cell disease and its variants . ~~[; and~~

~~(c) Medically necessary services provided during at least two visits per year to a comprehensive clinic for sickle cell disease and its variants for an insured who has been diagnosed with sickle cell disease and its variants.]~~

2. A managed care organization that issues a health care plan which provides coverage for prescription drugs shall include in the plan coverage for medically necessary prescription drugs to treat sickle cell disease and its variants.

3. A managed care organization shall establish a plan for each insured under 18 years of age who has been diagnosed with sickle cell disease and its variants to transition the insured from pediatric care to adult care when the insured reaches 18 years of age.

4. A managed care organization may use medical management techniques, including, without limitation, any available clinical evidence, to determine the frequency of or treatment relating to any benefit required by this section or the type of provider of health care to use for such treatment.

5. As used in this section:

(a) "Case management services" means medical or other health care management services to assist patients and providers of health care, including, without limitation, identifying and facilitating additional resources and treatments, providing information about treatment options and facilitating communication between providers of services to a patient.

(b) "Medical management technique" means a practice which is used to control the cost or utilization of health care services. The term includes, without limitation, the use of step therapy, prior authorization or categorizing drugs and devices based on cost, type or method of administration.

(c) "Sickle cell disease and its variants" has the meaning ascribed to it in section 4.5 of this act.

Sec. 30. The provisions of NRS 354.599 do not apply to any additional expenses of a local government that are related to the provisions of this act.

Sec. 31. This act becomes effective:

1. Upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and

2. On October 1, 2019, for all other purposes.

Senator Ratti moved the adoption of the amendment.

Remarks by Senator Ratti.

Amendment No. 743 to Assembly Bill No. 254 clarifies that Medicaid and other health insurers must cover necessary case-management services and medically-necessary care for individuals diagnosed with sickle cell disease and its variants.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 378.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 852.

JOINT SPONSORS: SENATORS HAMMOND AND PICKARD

SUMMARY—Makes various changes relating to the transportation and admission of certain persons alleged to be a danger to themselves or others to certain facilities or hospitals. (BDR 34-711)

AN ACT relating to mental health; requiring the model plan for the management of a crisis, emergency or suicide involving a school to include a plan for responding to a pupil with a mental illness; clarifying that consent from any parent or legal guardian of a person is not necessary for the emergency admission of that person; requiring a person who applies for the emergency admission of a child to attempt to obtain the consent of a parent or guardian of the child ~~[.]~~ and maintain documentation of such an attempt; requiring the notification of a parent or guardian of a child of the emergency admission of the child; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Department of Education to develop a model plan for the management of a suicide or a crisis or emergency that involves a public or private school and requires immediate action. (NRS 388.253) Existing law requires the development of a plan to be used by all public schools in a school district or a charter school in responding to a crisis or emergency, which must include the plans, procedures and information included in the model plan developed by the Department. (NRS 388.243) Existing law authorizes the emergency admission of a person who is determined to present a clear and present danger of harm to himself, herself or others as a result of mental illness to a public or private mental health facility or hospital for evaluation,

observation and treatment. (NRS 433A.150) Existing law authorizes certain persons to make an application for such an emergency admission, including an officer authorized to make arrests in this State. (NRS 433A.160) Section 1 of this bill requires the model plan to include a plan for responding to a pupil who is determined to present a clear and present danger of harm to himself or herself or others as a result of mental illness, including: (1) utilizing mobile mental health crisis response units, where available; and (2) transporting the pupil to a mental health facility or hospital for admission. Section 2 of this bill clarifies that such a facility or hospital may accept for emergency admission any person for whom a proper application for emergency admission has been made, regardless of whether any parent or legal guardian of the person has consented to such admission. Section 2.2 of this bill requires a person, other than a parent or guardian, who applies for the emergency admission of a person who is less than 18 years of age to attempt to obtain the consent of a parent or guardian to make the application when practicable. Section 2.2 requires the person who makes the application or his or her employer, if applicable, to maintain documentation of each such attempt.

Existing law requires the administrative officer of a mental health facility to ask a person who is admitted to the facility on an emergency basis for permission to notify a family member, friend or other person. If the person provides such permission, the administrator is required to notify the family member, friend or other person. If permission is not given, the administrator is prohibited from notifying another person of the emergency admission in most circumstances. (NRS 433A.190, as amended by section 14 of Assembly Bill No. 85 of the 2019 Legislative Session) Section 4 of this bill limits the application of these provisions to the emergency admission of a person who is at least 18 years of age. Section ~~[2.5]~~ 1.3 of this bill requires a mental health facility or hospital to notify a parent or guardian within 24 hours of the emergency admission of a person who is less than 18 years of age. Section 1.6 of this bill makes conforming changes.

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

Section 1. NRS 388.253 is hereby amended to read as follows:

388.253 1. The Department shall, with assistance from other state agencies, including, without limitation, the Division of Emergency Management, the Investigation Division, and the Nevada Highway Patrol Division of the Department of Public Safety, develop a model plan for the management of:

(a) A suicide; or

(b) A crisis or emergency that involves a public school or a private school and that requires immediate action.

2. The model plan must include, without limitation, a procedure for:

(a) In response to a crisis or emergency:

(1) Coordinating the resources of local, state and federal agencies, officers and employees, as appropriate;

(2) Accounting for all persons within a school;

(3) Assisting persons within a school in a school district, a charter school or a private school to communicate with each other;

(4) Assisting persons within a school in a school district, a charter school or a private school to communicate with persons located outside the school, including, without limitation, relatives of pupils and relatives of employees of such a school, the news media and persons from local, state or federal agencies that are responding to a crisis or an emergency;

(5) Assisting pupils of a school in the school district, a charter school or a private school, employees of such a school and relatives of such pupils and employees to move safely within and away from the school, including, without limitation, a procedure for evacuating the school and a procedure for securing the school;

(6) Reunifying a pupil with his or her parent or legal guardian;

(7) Providing any necessary medical assistance;

(8) Recovering from a crisis or emergency;

(9) Carrying out a lockdown at a school; and

(10) Providing shelter in specific areas of a school;

(b) Providing specific information relating to managing a crisis or emergency that is a result of:

(1) An incident involving hazardous materials;

(2) An incident involving mass casualties;

(3) An incident involving an active shooter;

(4) An outbreak of disease;

(5) Any threat or hazard identified in the hazard mitigation plan of the county in which the school district is located, if such a plan exists; or

(6) Any other situation, threat or hazard deemed appropriate;

(c) Providing pupils and staff at a school that has experienced a crisis, emergency or suicide with access to counseling and other resources to assist in recovering from the crisis, emergency or suicide; ~~[and]~~

(d) Evacuating pupils and employees of a charter school to a designated space within an identified public middle school, junior high school or high school in a school district that is separate from the general population of the school and large enough to accommodate the charter school, and such a space may include, without limitation, a gymnasium or multipurpose room of the public school ~~[.]~~ *; and*

(e) Responding to a pupil who is determined to be a person with mental illness, as defined in NRS 433A.115, including, without limitation:

(1) Utilizing mobile mental health crisis response units, where available, before transporting the pupil to a public or private mental health facility pursuant to subparagraph (2); and

(2) Transporting the pupil to a public or private mental health facility or hospital for admission pursuant to NRS 433A.150.

3. In developing the model plan, the Department shall consider the plans developed pursuant to NRS 388.243 and 394.1687 and updated pursuant to NRS 388.245 and 394.1688.

4. The Department shall require a school district to ensure that each public school in the school district identified pursuant to paragraph (d) of subsection 2 is prepared to allow a charter school to evacuate to the school when necessary in accordance with the procedure included in the model plan developed pursuant to subsection 1. A charter school shall hold harmless, indemnify and defend the school district to which it evacuates during a crisis or an emergency against any claim or liability arising from an act or omission by the school district or an employee or officer of the school district.

5. The Department may disseminate to any appropriate local, state or federal agency, officer or employee, as the Department determines is necessary:

(a) The model plan developed by the Department pursuant to subsection 1;

(b) A plan developed pursuant to NRS 388.243 or updated pursuant to NRS 388.245;

(c) A plan developed pursuant to NRS 394.1687 or updated pursuant to NRS 394.1688; and

(d) A deviation approved pursuant to NRS 388.251 or 394.1692.

6. The Department shall, at least once each year, review and update as appropriate the model plan developed pursuant to subsection 1.

Sec. 1.3. Chapter 433A of NRS is hereby amended by adding thereto a new section to read as follows:

As soon as practicable but not more than 24 hours after the emergency admission of a person alleged to be a person with mental illness who is under 18 years of age, the administrative officer of the public or private mental health facility shall give notice of such admission in person, by telephone or facsimile and by certified mail to the parent or legal guardian of that person.

Sec. 1.6. NRS 433A.115 is hereby amended to read as follows:

433A.115 1. As used in NRS 433A.115 to 433A.330, inclusive, *and section 1.3 of this act*, unless the context otherwise requires, "person with mental illness" means any person whose capacity to exercise self-control, judgment and discretion in the conduct of the person's affairs and social relations or to care for his or her personal needs is diminished, as a result of a mental illness, to the extent that the person presents a clear and present danger of harm to himself or herself or others, but does not include any person in whom that capacity is diminished by epilepsy, intellectual disability, dementia, delirium, brief periods of intoxication caused by alcohol or drugs, or dependence upon or addiction to alcohol or drugs, unless a mental illness that can be diagnosed is also present which contributes to the diminished capacity of the person.

2. A person presents a clear and present danger of harm to himself or herself if, within the immediately preceding 30 days, the person has, as a result of a mental illness:

(a) Acted in a manner from which it may reasonably be inferred that, without the care, supervision or continued assistance of others, the person will be unable to satisfy his or her need for nourishment, personal or medical care, shelter, self-protection or safety, and if there exists a reasonable probability that the person's death, serious bodily injury or physical debilitation will occur within the next following 30 days unless he or she is admitted to a mental health facility or required to participate in a program of community-based or outpatient services pursuant to the provisions of NRS 433A.115 to 433A.330, inclusive, *and section 1.3 of this act* and adequate treatment is provided to the person;

(b) Attempted or threatened to commit suicide or committed acts in furtherance of a threat to commit suicide, and if there exists a reasonable probability that the person will commit suicide unless he or she is admitted to a mental health facility or required to participate in a program of community-based or outpatient services pursuant to the provisions of NRS 433A.115 to 433A.330, inclusive, *and section 1.3 of this act* and adequate treatment is provided to the person; or

(c) Mutilated himself or herself, attempted or threatened to mutilate himself or herself or committed acts in furtherance of a threat to mutilate himself or herself, and if there exists a reasonable probability that he or she will mutilate himself or herself unless the person is admitted to a mental health facility or required to participate in a program of community-based or outpatient services pursuant to the provisions of NRS 433A.115 to 433A.330, inclusive, *and section 1.3 of this act* and adequate treatment is provided to the person.

3. A person presents a clear and present danger of harm to others if, within the immediately preceding 30 days, the person has, as a result of a mental illness, inflicted or attempted to inflict serious bodily harm on any other person, or made threats to inflict harm and committed acts in furtherance of those threats, and if there exists a reasonable probability that he or she will do so again unless the person is admitted to a mental health facility or required to participate in a program of community-based or outpatient services pursuant to the provisions of NRS 433A.115 to 433A.330, inclusive, *and section 1.3 of this act* and adequate treatment is provided to him or her.

Sec. 2. NRS 433A.150 is hereby amended to read as follows:

433A.150 1. ~~[Any]~~ *Except as otherwise provided in this subsection, a* person alleged to be a person with mental illness may, upon application pursuant to NRS 433A.160 and subject to the provisions of subsection 2, be detained in a public or private mental health facility or hospital under an emergency admission for evaluation, observation and treatment ~~[.]~~ *, regardless of whether any parent or legal guardian of the person has consented to the admission.*

2. Except as otherwise provided in subsection 3, a person detained pursuant to subsection 1 must be released within 72 hours, including weekends and holidays, after the certificate required pursuant to NRS 433A.170 and the examination required by paragraph (a) of subsection 1 of NRS 433A.165 have

been completed, if such an examination is required, or within 72 hours, including weekends and holidays, after the person arrives at the mental health facility or hospital, if an examination is not required by paragraph (a) of subsection 1 of NRS 433A.165, unless, before the close of the business day on which the 72 hours expires, a written petition for an involuntary court-ordered admission to a mental health facility is filed with the clerk of the district court pursuant to NRS 433A.200, including, without limitation, the documents required pursuant to NRS 433A.210, or the status of the person is changed to a voluntary admission.

3. If the period specified in subsection 2 expires on a day on which the office of the clerk of the district court is not open, the written petition must be filed on or before the close of the business day next following the expiration of that period.

Sec. 2.2. NRS 433A.160 is hereby amended to read as follows:

433A.160 1. Except as otherwise provided in subsection 2, an application for the emergency admission of a person alleged to be a person with mental illness for evaluation, observation and treatment may only be made by an accredited agent of the Department, an officer authorized to make arrests in the State of Nevada or a physician, physician assistant, psychologist, marriage and family therapist, clinical professional counselor, social worker or registered nurse. The agent, officer, physician, physician assistant, psychologist, marriage and family therapist, clinical professional counselor, social worker or registered nurse may:

(a) Without a warrant:

(1) Take a person alleged to be a person with mental illness into custody to apply for the emergency admission of the person for evaluation, observation and treatment; and

(2) Transport the person alleged to be a person with mental illness to a public or private mental health facility or hospital for that purpose, or arrange for the person to be transported by:

(I) A local law enforcement agency;

(II) A system for the nonemergency medical transportation of persons whose operation is authorized by the Nevada Transportation Authority;

(III) An entity that is exempt pursuant to NRS 706.745 from the provisions of NRS 706.386 or 706.421; or

(IV) If medically necessary, an ambulance service that holds a permit issued pursuant to the provisions of chapter 450B of NRS,

➥ only if the agent, officer, physician, physician assistant, psychologist, marriage and family therapist, clinical professional counselor, social worker or registered nurse has, based upon his or her personal observation of the person alleged to be a person with mental illness, probable cause to believe that the person has a mental illness and, because of that illness, is likely to harm himself or herself or others if allowed his or her liberty.

(b) Apply to a district court for an order requiring:

(1) Any peace officer to take a person alleged to be a person with mental illness into custody to allow the applicant for the order to apply for the emergency admission of the person for evaluation, observation and treatment; and

(2) Any agency, system or service described in subparagraph (2) of paragraph (a) to transport the person alleged to be a person with mental illness to a public or private mental health facility or hospital for that purpose.

➥ The district court may issue such an order only if it is satisfied that there is probable cause to believe that the person has a mental illness and, because of that illness, is likely to harm himself or herself or others if allowed his or her liberty.

2. An application for the emergency admission of a person alleged to be a person with mental illness for evaluation, observation and treatment may be made by a spouse, parent, adult child or legal guardian of the person. The spouse, parent, adult child or legal guardian and any other person who has a legitimate interest in the person alleged to be a person with mental illness may apply to a district court for an order described in paragraph (b) of subsection 1.

3. The application for the emergency admission of a person alleged to be a person with mental illness for evaluation, observation and treatment must reveal the circumstances under which the person was taken into custody and the reasons therefor.

4. *To the extent practicable, a person who applies for the emergency admission of a person who is less than 18 years of age to a public or private mental health facility or hospital, other than a parent or guardian, shall attempt to obtain the consent of the parent or guardian before making the application. The person who applies for the emergency admission or, if the person makes the application within the scope of his or her employment, the employer of the person, shall maintain documentation of each such attempt until the person who is the subject of the application reaches at least 23 years of age.*

5. Except as otherwise provided in this subsection, each person admitted to a public or private mental health facility or hospital under an emergency admission must be evaluated at the time of admission by a psychiatrist or a psychologist. If a psychiatrist or a psychologist is not available to conduct an evaluation at the time of admission, a physician or an advanced practice registered nurse who has the training and experience prescribed by the State Board of Nursing pursuant to NRS 632.120 may conduct the evaluation. Each such emergency admission must be approved by a psychiatrist.

~~[5.]~~ *6.* As used in this section, "an accredited agent of the Department" means any person appointed or designated by the Director of the Department to take into custody and transport to a mental health facility pursuant to subsections 1 and 2 those persons in need of emergency admission.

Sec. 2.5. ~~[NRS 433A.190 is hereby amended to read as follows:~~

~~433A.190 Within 24 hours of a person's admission under emergency admission, the administrative officer of a public or private mental health~~

~~facility shall give notice of such admission in person, by telephone or facsimile and by certified mail to the spouse or legal guardian *of that person or, if the person is less than 18 years of age, the parent or legal guardian* of that person.]~~ (Deleted by amendment.)

Sec. 3. (Deleted by amendment.)

Sec. 4. Section 14 of Assembly Bill No. 85 of this session is hereby amended to read as follows:

Sec. 14. NRS 433A.190 is hereby amended to read as follows:

433A.190 1. The administrative officer of a public or private mental health facility shall ensure that, within 24 hours of the emergency admission of a person alleged to be a person in a mental health crisis pursuant to NRS 433A.150 ~~[,]~~ *who is at least 18 years of age*, the person is asked to give permission to provide notice of the emergency admission to a family member, friend or other person identified by the person.

2. If a person alleged to be a person in a mental health crisis *who is at least 18 years of age* gives permission to notify a family member, friend or other person of the emergency admission, the administrative officer shall ensure that:

(a) The permission is recorded in the medical record of the person; and

(b) Notice of the admission is promptly provided to the family member, friend or other person in person or by telephone, facsimile, other electronic communication or certified mail.

3. Except as otherwise provided in subsections 4 and 5, if a person alleged to be a person in a mental health crisis *who is at least 18 years of age* does not give permission to notify a family member, friend or other person of the emergency admission of the person, notice of the emergency admission must not be provided until permission is obtained.

4. If a person alleged to be a person in a mental health crisis *who is at least 18 years of age* is not able to give or refuse permission to notify a family member, friend or other person of the emergency admission, the administrative officer of the mental health facility may cause notice as described in paragraph (b) of subsection 2 to be provided if the administrative officer determines that it is in the best interest of the person in a mental health crisis.

5. If a guardian has been appointed for a person alleged to be a person in a mental health crisis *who is at least 18 years of age* or the person has executed a durable power of attorney for health care pursuant to NRS 162A.700 to 162A.865, inclusive, or appointed an attorney-in-fact using an advance directive for psychiatric care pursuant to NRS 449A.600 to 449A.645, inclusive, the administrative officer of the mental health facility must ensure that the guardian, agent designated by the durable power of attorney or the attorney-in-fact, as applicable, is promptly notified of the admission as described in paragraph (b) of subsection 2, regardless of whether the person alleged to be a person in a mental health crisis has given permission to the notification.

~~[Sec. 4.]~~ *Sec. 5.* This act becomes effective upon passage and approval.

Senator Denis moved the adoption of the amendment.

Remarks by Senator Denis.

Amendment No. 852 to Assembly Bill No. 378 makes the following changes: one, it specifies a time frame and the manner in which family members and others are notified upon emergency admission of a minor; two, specifies requirements related to the maintenance of documentation of emergency admission applications; three, resolves conflicts between this bill and Assembly Bill No. 85, which has already been signed by the Governor, and four, adds joint sponsors to the bill.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 465.

Bill read second time.

The following amendment was proposed by the Committee on Growth and Infrastructure:

Amendment No. 770.

SUMMARY—Establishes provisions relating to solar energy. (BDR 58-872)

AN ACT relating to energy; requiring electric utilities to offer an expanded solar access program to certain customers and to submit a plan to the Public Utilities Commission of Nevada for such a program; requiring the Commission to adopt regulations establishing standards for the program; requiring the Commission to approve a plan for an expanded solar access program if certain requirements are met; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

This bill enacts provisions for the implementation of an expanded solar access program by certain electric utilities in this State. This bill requires such electric utilities to offer an expanded solar access program to residential customers and to certain nonresidential customers who consume less than 10,000 kilowatt-hours of electricity per month. This bill requires the Public Utilities Commission of Nevada to adopt certain regulations for the implementation of the expanded solar access program and requires an electric utility to submit a plan for the implementation of the expanded solar access program. Among the requirements for the plan submitted by an electric utility to implement the expanded solar access program is that the capacity of the expanded solar access program be below a certain amount, that the program broaden access to solar energy in an equitable manner and that the program provide participating low-income residential customers with ~~[electric bill savings.]~~ a lower rate. This bill requires an electric utility, in implementing the expanded solar access program, to make use of at least a certain number of community-based solar resources and utility scale solar resources.

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

Section 1. Chapter 704 of NRS is hereby amended by adding thereto a new section to read as follows:

1. An electric utility shall offer an expanded solar access program to eligible customers within its service area in accordance with the provisions of this section. The size of the expanded solar access program shall not exceed:

(a) For an electric utility that primarily serves densely populated counties, a total capacity of 240,000 megawatt-hours; and

(b) For an electric utility that primarily serves less densely populated counties, a total capacity of 160,000 megawatt-hours.

2. The Commission shall adopt regulations establishing standards for the expanded solar access program. The regulations must:

(a) Advance the development of solar energy resources in this State, including, without limitation, utility scale and community-based solar resources;

(b) Provide for the expanded solar access program to include a reasonable mixture of community-based solar resources and utility scale solar resources;

(c) Provide a plan for community participation in the siting and naming of community-based solar resources;

(d) Provide for solar workforce innovations and opportunity programs related to the construction, maintenance and operation of solar resources, including opportunities for workforce training, apprenticeships or other job opportunities at community-based solar resources;

(e) Provide for equitably broadened access to solar energy;

(f) Provide for the creation of an expanded solar access program rate for participating eligible customers that:

(1) Is based, among other factors, on a new utility scale solar resource accepted by the Commission in an order issued pursuant to NRS 704.751, as approved by the Commission;

(2) Is a fixed rate that replaces the base tariff energy rate and deferred accounting adjustment charged by the electric utility for participating customers and which is adjusted in accordance with the Commission's quarterly calculations;

(3) For low-income eligible customers, provides for ~~[bill savings,]~~ a lower rate, the cost of which must be allocated ~~[equitably]~~ across all of the rate classes of the utility;

(4) For eligible customers who are not low-income eligible customers, provides stability and predictability and the opportunity for ~~[bill savings;]~~ a lower rate; and

(5) Includes for all participating customers any other applicable charges including, without limitation, the universal energy charge, franchise fees, the renewable energy program rate and base tariff general rates, except that the Commission may reduce one or more of these charges for low-income eligible customers to ensure that such customers receive ~~[bill savings]~~ a lower rate pursuant to subparagraph (3);

(g) Establish a process for identifying noncontiguous geographic locations for community-based solar resources which, to the extent practicable, must be located in communities with higher levels of low-income eligible customers;

(h) Provide for the use of at least one utility scale solar resource and at least three but not more than ten community-based solar resources within the service territory of the electric utility;

(i) Require not less than 50 percent of the employees engaged or anticipated to be engaged in construction of community-based solar resources to be residents of this State, which residency may be demonstrated, without limitation, by a notarized statement of the employee that he or she is a resident of this State;

(j) Provide for a mechanism for the host sites of community-based solar resources to receive compensation from the utility for the use of such site;

(k) Provide for the use of a combination of new and other renewable energy facilities, which may be either utility scale or community-based solar resources, that were submitted to the Commission for approval after May 1, 2018, and that were not placed into operation before April 1, 2020;

(l) Provide for an application and selection process for eligible customers to participate in the program;

(m) Ensure reasonable and equitable participation by eligible customers within the service area of the electric utility;

(n) Ensure that eligible customers are able to participate in the program regardless of whether the customer owns, rents or leases the customer's premises;

(o) Require that:

(1) Twenty-five percent of the capacity of the program, as provided in subsection 1, be reserved for low-income eligible customers;

(2) Twenty-five percent of the capacity of the program, as provided in subsection 1, be reserved for disadvantaged businesses and nonprofit organizations; and

(3) Fifty percent of the capacity of the program, as provided in subsection 1, be reserved for eligible customers who are fully bundled residential customers who own, rent or lease their residence and *who certify in a statement which satisfies the requirements established by the Commission pursuant to paragraph (p) that they* *cannot install solar resources on their premises* *; ~~[, as determined by the Commission; and]~~*

(p) *Establish the requirements for a fully bundled residential customer to certify that he or she cannot install solar resources on his or her premises; and*

(q) Establish standards for the form, content and manner of submission of an electric utility's plan for implementing the expanded solar access program.

3. An electric utility shall file a plan for implementing the expanded solar access program in accordance with the regulations adopted by the Commission pursuant to subsection 2.

4. The Commission shall review the plan for the implementation of the expanded solar access program submitted pursuant to subsection 3 and issue an order approving *, with or without modifications,* *or denying the plan within 210 days. The Commission* *~~[shall]~~* *may* *approve the plan if it finds that the*

proposed expanded solar access program complies with the regulations adopted by the Commission pursuant to subsection 2.

5. In administering the provisions of this section, the electric utility and the Commission shall establish as the preferred sites for utility scale development of solar energy resources pursuant to this section brownfield sites and land designated by the Secretary of the Interior as Solar Energy Zones and held by the Bureau of Land Management.

6. As used in this section:

(a) "Brownfield site" has the meaning ascribed to it in 42 U.S.C. § 9601.

(b) "Community-based solar resource" means a solar resource which has a nameplate capacity of not more than 1 megawatt and is owned and operated by the electric utility and connected to and used as a component of the distribution system of the electric utility.

(c) "Disadvantaged business" means a business for which:

(1) Fifty-one percent or more of the owners are women, veterans, members of a racial or ethnic minority group or otherwise part of a traditionally underrepresented group; and

(2) None of the owners has a net worth of more than $250,000, not including the equity held in the business or in a primary residence.

(d) "Electric utility" has the meaning ascribed to it in NRS 704.187.

(e) "Electric utility that primarily serves densely populated counties" has the meaning ascribed to it in NRS 704.110.

(f) "Electric utility that primarily serves less densely populated counties" has the meaning ascribed to it in NRS 704.110.

(g) "Eligible customer" means:

(1) A fully bundled general service customer; or

(2) A fully bundled residential customer of a utility.

(h) "Fully bundled customer" means a customer of an electric utility who receives energy, transmission, distribution and ancillary services from an electric utility.

(i) "Fully bundled general service customer" means a fully bundled customer who is a nonresidential customer with a kilowatt-hour consumption that does not exceed 10,000 kilowatt-hours per month.

~~[(i)]~~ (j) "Fully bundled residential customer" means a fully bundled ~~[single family]~~ customer who is a single-family or a multifamily residential customer.

~~[(j)]~~ (k) "Low-income eligible customer" means a natural person or household who is a fully bundled residential customer of a utility and has an income of not more than 80 percent of the area median income based on the guidelines published by the United States Department of Housing and Urban Development.

~~[(k)]~~ (l) "Solar Energy Zone" means an area identified and designated by the Bureau of Land Management as an area well-suited for utility-scale production of solar energy, and where the Bureau of Land Management will

prioritize solar energy and associated transmission infrastructure development.

~~*[(l)]*~~ *(m) "Solar resource" means a facility or energy system that uses a solar photovoltaic device to generate electricity.*

~~*[(m)]*~~ *(n) "Solar workforce innovations and opportunity program" means a workforce education, training and job placement program developed by the Department of Employment, Training and Rehabilitation and its appropriate industry sector council in conjunction with potential employers and community stakeholders.*

~~*[(n)]*~~ *(o) "Utility scale solar resource" means a solar resource which has a nameplate capacity of at least 50 megawatts and is interconnected directly to a substation of the electric utility through a generation step-up transformer.*

Sec. 2. NRS 704.100 is hereby amended to read as follows:

704.100 1. Except as otherwise provided in NRS 704.075 and 704.68861 to 704.68887, inclusive, *and section 1 of this act* or as may otherwise be provided by the Commission pursuant to NRS 704.095 or 704.097:

(a) A public utility shall not make changes in any schedule, unless the public utility:

(1) Files with the Commission an application to make the proposed changes and the Commission approves the proposed changes pursuant to NRS 704.110; or

(2) Files the proposed changes with the Commission using a letter of advice in accordance with the provisions of paragraph (f) or (g).

(b) A public utility shall adjust its rates on a quarterly basis between annual rate adjustment applications pursuant to subsection 8 of NRS 704.110 based on changes in the public utility's recorded costs of natural gas purchased for resale.

(c) An electric utility shall, between annual deferred energy accounting adjustment applications filed pursuant to NRS 704.187, adjust its rates on a quarterly basis pursuant to subsection 10 of NRS 704.110.

(d) A public utility shall post copies of all proposed schedules and all new or amended schedules in the same offices and in substantially the same form, manner and places as required by NRS 704.070 for the posting of copies of schedules that are currently in force.

(e) A public utility may not set forth as justification for a rate increase any items of expense or rate base that previously have been considered and disallowed by the Commission, unless those items are clearly identified in the application and new facts or considerations of policy for each item are advanced in the application to justify a reversal of the prior decision of the Commission.

(f) Except as otherwise provided in paragraph (g), if the proposed change in any schedule does not change any rate or will result in an increase in annual gross operating revenue in an amount that does not exceed $15,000:

(1) The public utility may file the proposed change with the Commission using a letter of advice in lieu of filing an application; and

(2) The Commission shall determine whether it should dispense with a hearing regarding the proposed change.

➥ A letter of advice filed pursuant to this paragraph must include a certification by the attorney for the public utility or an affidavit by an authorized representative of the public utility that to the best of the signatory's knowledge, information and belief, formed after a reasonable inquiry, the proposed change in schedule does not change any rate or result in an increase in the annual gross operating revenue of the public utility in an amount that exceeds $15,000.

(g) If the applicant is a small-scale provider of last resort and the proposed change in any schedule will result in an increase in annual gross operating revenue in an amount that does not exceed $50,000 or 10 percent of the applicant's annual gross operating revenue, whichever is less:

(1) The small-scale provider of last resort may file the proposed change with the Commission using a letter of advice in lieu of filing an application if the small-scale provider of last resort:

(I) Includes with the letter of advice a certification by the attorney for the small-scale provider of last resort or an affidavit by an authorized representative of the small-scale provider of last resort that to the best of the signatory's knowledge, information and belief, formed after a reasonable inquiry, the proposed change in schedule does not change any rate or result in an increase in the annual gross operating revenue of the small-scale provider of last resort in an amount that exceeds $50,000 or 10 percent, whichever is less;

(II) Demonstrates that the proposed change in schedule is required by or directly related to a regulation or order of the Federal Communications Commission; and

(III) Except as otherwise provided in subsection 2, files the letter of advice not later than 5 years after the Commission has issued a final order on a general rate application filed by the applicant in accordance with subsection 3 of NRS 704.110; and

(2) The Commission shall determine whether it should dispense with a hearing regarding the proposed change.

➥ Not later than 10 business days after the filing of a letter of advice pursuant to subparagraph (1), the Regulatory Operations Staff of the Commission or any other interested party may file with the Commission a request that the Commission order an applicant to file a general rate application in accordance with subsection 3 of NRS 704.110. The Commission may hold a hearing to consider such a request.

(h) In making the determination pursuant to paragraph (f) or (g), the Commission shall first consider all timely written protests, any presentation that the Regulatory Operations Staff of the Commission may desire to present,

the application of the public utility and any other matters deemed relevant by the Commission.

2. An applicant that is a small-scale provider of last resort may submit to the Commission a written request for a waiver of the 5-year period specified in sub-subparagraph (III) of subparagraph (1) of paragraph (g) of subsection 1. The Commission shall, not later than 90 days after receipt of such a request, issue an order approving or denying the request. The Commission may approve the request if the applicant provides proof satisfactory to the Commission that the applicant is not earning more than the rate of return authorized by the Commission and that it is in the public interest for the Commission to grant the request for a waiver. The Commission shall not approve a request for a waiver if the request is submitted later than 7 years after the issuance by the Commission of a final order on a general rate application filed by the applicant in accordance with subsection 3 of NRS 704.110. If the Commission approves a request for a waiver submitted pursuant to this subsection, the applicant shall file the letter of advice pursuant to subparagraph (1) of paragraph (g) of subsection 1 not earlier than 120 days after the date on which the applicant submitted the request for a waiver pursuant to this subsection, unless the order issued by the Commission approving the request for a waiver specifies a different period for the filing of the letter of advice.

3. As used in this section, "electric utility" has the meaning ascribed to it in NRS 704.187.

Sec. 3. NRS 704.110 is hereby amended to read as follows:

704.110 Except as otherwise provided in NRS 704.075 and 704.68861 to 704.68887, inclusive, *and section 1 of this act*, or as may otherwise be provided by the Commission pursuant to NRS 704.095 or 704.097:

1. If a public utility files with the Commission an application to make changes in any schedule, including, without limitation, changes that will result in a discontinuance, modification or restriction of service, the Commission shall investigate the propriety of the proposed changes to determine whether to approve or disapprove the proposed changes. If an electric utility files such an application and the application is a general rate application or an annual deferred energy accounting adjustment application, the Consumer's Advocate shall be deemed a party of record.

2. Except as otherwise provided in subsection 3, if a public utility files with the Commission an application to make changes in any schedule, the Commission shall, not later than 210 days after the date on which the application is filed, issue a written order approving or disapproving, in whole or in part, the proposed changes.

3. If a public utility files with the Commission a general rate application, the public utility shall submit with its application a statement showing the recorded results of revenues, expenses, investments and costs of capital for its most recent 12 months for which data were available when the application was prepared. Except as otherwise provided in subsection 4, in determining

whether to approve or disapprove any increased rates, the Commission shall consider evidence in support of the increased rates based upon actual recorded results of operations for the same 12 months, adjusted for increased revenues, any increased investment in facilities, increased expenses for depreciation, certain other operating expenses as approved by the Commission and changes in the costs of securities which are known and are measurable with reasonable accuracy at the time of filing and which will become effective within 6 months after the last month of those 12 months, but the public utility shall not place into effect any increased rates until the changes have been experienced and certified by the public utility to the Commission and the Commission has approved the increased rates. The Commission shall also consider evidence supporting expenses for depreciation, calculated on an annual basis, applicable to major components of the public utility's plant placed into service during the recorded test period or the period for certification as set forth in the application. Adjustments to revenues, operating expenses and costs of securities must be calculated on an annual basis. Within 90 days after the date on which the certification required by this subsection is filed with the Commission, or within the period set forth in subsection 2, whichever time is longer, the Commission shall make such order in reference to the increased rates as is required by this chapter. The following public utilities shall each file a general rate application pursuant to this subsection based on the following schedule:

(a) An electric utility that primarily serves less densely populated counties shall file a general rate application not later than 5 p.m. on or before the first Monday in June 2010, and at least once every 36 months thereafter.

(b) An electric utility that primarily serves densely populated counties shall file a general rate application not later than 5 p.m. on or before the first Monday in June 2011, and at least once every 36 months thereafter.

(c) A public utility that furnishes water for municipal, industrial or domestic purposes or services for the disposal of sewage, or both, which had an annual gross operating revenue of $2,000,000 or more for at least 1 year during the immediately preceding 3 years and which had not filed a general rate application with the Commission on or after July 1, 2005, shall file a general rate application on or before June 30, 2008, and at least once every 36 months thereafter unless waived by the Commission pursuant to standards adopted by regulation of the Commission. If a public utility furnishes both water and services for the disposal of sewage, its annual gross operating revenue for each service must be considered separately for determining whether the public utility meets the requirements of this paragraph for either service.

(d) A public utility that furnishes water for municipal, industrial or domestic purposes or services for the disposal of sewage, or both, which had an annual gross operating revenue of $2,000,000 or more for at least 1 year during the immediately preceding 3 years and which had filed a general rate application with the Commission on or after July 1, 2005, shall file a general rate application on or before June 30, 2009, and at least once every 36 months thereafter unless waived by the Commission pursuant to standards adopted by

regulation of the Commission. If a public utility furnishes both water and services for the disposal of sewage, its annual gross operating revenue for each service must be considered separately for determining whether the public utility meets the requirements of this paragraph for either service.

➥ The Commission shall adopt regulations setting forth standards for waivers pursuant to paragraphs (c) and (d) and for including the costs incurred by the public utility in preparing and presenting the general rate application before the effective date of any change in rates.

4. In addition to submitting the statement required pursuant to subsection 3, a public utility may submit with its general rate application a statement showing the effects, on an annualized basis, of all expected changes in circumstances. If such a statement is filed, it must include all increases and decreases in revenue and expenses which may occur within 210 days after the date on which its general rate application is filed with the Commission if such expected changes in circumstances are reasonably known and are measurable with reasonable accuracy. If a public utility submits such a statement, the public utility has the burden of proving that the expected changes in circumstances set forth in the statement are reasonably known and are measurable with reasonable accuracy. The Commission shall consider expected changes in circumstances to be reasonably known and measurable with reasonable accuracy if the expected changes in circumstances consist of specific and identifiable events or programs rather than general trends, patterns or developments, have an objectively high probability of occurring to the degree, in the amount and at the time expected, are primarily measurable by recorded or verifiable revenues and expenses and are easily and objectively calculated, with the calculation of the expected changes relying only secondarily on estimates, forecasts, projections or budgets. If the Commission determines that the public utility has met its burden of proof:

(a) The Commission shall consider the statement submitted pursuant to this subsection and evidence relevant to the statement, including all reasonable projected or forecasted offsets in revenue and expenses that are directly attributable to or associated with the expected changes in circumstances under consideration, in addition to the statement required pursuant to subsection 3 as evidence in establishing just and reasonable rates for the public utility; and

(b) The public utility is not required to file with the Commission the certification that would otherwise be required pursuant to subsection 3.

5. If a public utility files with the Commission an application to make changes in any schedule and the Commission does not issue a final written order regarding the proposed changes within the time required by this section, the proposed changes shall be deemed to be approved by the Commission.

6. If a public utility files with the Commission a general rate application, the public utility shall not file with the Commission another general rate application until all pending general rate applications filed by that public utility have been decided by the Commission unless, after application and hearing, the Commission determines that a substantial financial emergency would exist

if the public utility is not permitted to file another general rate application sooner. The provisions of this subsection do not prohibit the public utility from filing with the Commission, while a general rate application is pending, an application to recover the increased cost of purchased fuel, purchased power, or natural gas purchased for resale pursuant to subsection 7, a quarterly rate adjustment pursuant to subsection 8 or 10, any information relating to deferred accounting requirements pursuant to NRS 704.185 or an annual deferred energy accounting adjustment application pursuant to NRS 704.187, if the public utility is otherwise authorized to so file by those provisions.

7. A public utility may file an application to recover the increased cost of purchased fuel, purchased power, or natural gas purchased for resale once every 30 days. The provisions of this subsection do not apply to:

(a) An electric utility which is required to adjust its rates on a quarterly basis pursuant to subsection 10; or

(b) A public utility which purchases natural gas for resale and which adjusts its rates on a quarterly basis pursuant to subsection 8.

8. A public utility which purchases natural gas for resale must request approval from the Commission to adjust its rates on a quarterly basis between annual rate adjustment applications based on changes in the public utility's recorded costs of natural gas purchased for resale. A public utility which purchases natural gas for resale and which adjusts its rates on a quarterly basis may request approval from the Commission to make quarterly adjustments to its deferred energy accounting adjustment. The Commission shall approve or deny such a request not later than 120 days after the application is filed with the Commission. The Commission may approve the request if the Commission finds that approval of the request is in the public interest. If the Commission approves a request to make quarterly adjustments to the deferred energy accounting adjustment of a public utility pursuant to this subsection, any quarterly adjustment to the deferred energy accounting adjustment must not exceed 2.5 cents per therm of natural gas. If the balance of the public utility's deferred account varies by less than 5 percent from the public utility's annual recorded costs of natural gas which are used to calculate quarterly rate adjustments, the deferred energy accounting adjustment must be set to zero cents per therm of natural gas.

9. If the Commission approves a request to make any rate adjustments on a quarterly basis pursuant to subsection 8:

(a) The public utility shall file written notice with the Commission before the public utility makes a quarterly rate adjustment. A quarterly rate adjustment is not subject to the requirements for notice and a hearing pursuant to NRS 703.320 or the requirements for a consumer session pursuant to subsection 1 of NRS 704.069.

(b) The public utility shall provide written notice of each quarterly rate adjustment to its customers by including the written notice with a customer's regular monthly bill. The public utility shall begin providing such written notice to its customers not later than 30 days after the date on which the public

utility files its written notice with the Commission pursuant to paragraph (a). The written notice that is included with a customer's regular monthly bill:

(1) Must be printed separately on fluorescent-colored paper and must not be attached to the pages of the bill; and

(2) Must include the following:

(I) The total amount of the increase or decrease in the public utility's revenues from the rate adjustment, stated in dollars and as a percentage;

(II) The amount of the monthly increase or decrease in charges for each class of customer or class of service, stated in dollars and as a percentage;

(III) A statement that customers may send written comments or protests regarding the rate adjustment to the Commission;

(IV) A statement that the transactions and recorded costs of natural gas which are the basis for any quarterly rate adjustment will be reviewed for reasonableness and prudence in the next proceeding held by the Commission to review the annual rate adjustment application pursuant to paragraph (d); and

(V) Any other information required by the Commission.

(c) The public utility shall file an annual rate adjustment application with the Commission. The annual rate adjustment application is subject to the requirements for notice and a hearing pursuant to NRS 703.320 and the requirements for a consumer session pursuant to subsection 1 of NRS 704.069.

(d) The proceeding regarding the annual rate adjustment application must include a review of each quarterly rate adjustment and the transactions and recorded costs of natural gas included in each quarterly filing and the annual rate adjustment application. There is no presumption of reasonableness or prudence for any quarterly rate adjustment or for any transactions or recorded costs of natural gas included in any quarterly rate adjustment or the annual rate adjustment application, and the public utility has the burden of proving reasonableness and prudence in the proceeding.

(e) The Commission shall not allow the public utility to recover any recorded costs of natural gas which were the result of any practice or transaction that was unreasonable or was undertaken, managed or performed imprudently by the public utility, and the Commission shall order the public utility to adjust its rates if the Commission determines that any recorded costs of natural gas included in any quarterly rate adjustment or the annual rate adjustment application were not reasonable or prudent.

10. An electric utility shall adjust its rates on a quarterly basis based on changes in the electric utility's recorded costs of purchased fuel or purchased power. In addition to adjusting its rates on a quarterly basis, an electric utility may request approval from the Commission to make quarterly adjustments to its deferred energy accounting adjustment. The Commission shall approve or deny such a request not later than 120 days after the application is filed with the Commission. The Commission may approve the request if the Commission finds that approval of the request is in the public interest. If the Commission approves a request to make quarterly adjustments to the deferred energy accounting adjustment of an electric utility pursuant to this subsection, any

quarterly adjustment to the deferred energy accounting adjustment must not exceed 0.25 cents per kilowatt-hour of electricity. If the balance of the electric utility's deferred account varies by less than 5 percent from the electric utility's annual recorded costs for purchased fuel or purchased power which are used to calculate quarterly rate adjustments, the deferred energy accounting adjustment must be set to zero cents per kilowatt-hour of electricity.

11. A quarterly rate adjustment filed pursuant to subsection 10 is subject to the following requirements:

(a) The electric utility shall file written notice with the Commission on or before August 15, 2007, and every quarter thereafter of the quarterly rate adjustment to be made by the electric utility for the following quarter. The first quarterly rate adjustment by the electric utility will take effect on October 1, 2007, and each subsequent quarterly rate adjustment will take effect every quarter thereafter. The first quarterly adjustment to a deferred energy accounting adjustment must be made pursuant to an order issued by the Commission approving the application of an electric utility to make quarterly adjustments to its deferred energy accounting adjustment. A quarterly rate adjustment is not subject to the requirements for notice and a hearing pursuant to NRS 703.320 or the requirements for a consumer session pursuant to subsection 1 of NRS 704.069.

(b) The electric utility shall provide written notice of each quarterly rate adjustment to its customers by including the written notice with a customer's regular monthly bill. The electric utility shall begin providing such written notice to its customers not later than 30 days after the date on which the electric utility files a written notice with the Commission pursuant to paragraph (a). The written notice that is included with a customer's regular monthly bill:

(1) Must be printed separately on fluorescent-colored paper and must not be attached to the pages of the bill; and

(2) Must include the following:

(I) The total amount of the increase or decrease in the electric utility's revenues from the rate adjustment, stated in dollars and as a percentage;

(II) The amount of the monthly increase or decrease in charges for each class of customer or class of service, stated in dollars and as a percentage;

(III) A statement that customers may send written comments or protests regarding the rate adjustment to the Commission;

(IV) A statement that the transactions and recorded costs of purchased fuel or purchased power which are the basis for any quarterly rate adjustment will be reviewed for reasonableness and prudence in the next proceeding held by the Commission to review the annual deferred energy accounting adjustment application pursuant to paragraph (d); and

(V) Any other information required by the Commission.

(c) The electric utility shall file an annual deferred energy accounting adjustment application pursuant to NRS 704.187 with the Commission. The annual deferred energy accounting adjustment application is subject to the

requirements for notice and a hearing pursuant to NRS 703.320 and the requirements for a consumer session pursuant to subsection 1 of NRS 704.069.

(d) The proceeding regarding the annual deferred energy accounting adjustment application must include a review of each quarterly rate adjustment and the transactions and recorded costs of purchased fuel and purchased power included in each quarterly filing and the annual deferred energy accounting adjustment application. There is no presumption of reasonableness or prudence for any quarterly rate adjustment or for any transactions or recorded costs of purchased fuel and purchased power included in any quarterly rate adjustment or the annual deferred energy accounting adjustment application, and the electric utility has the burden of proving reasonableness and prudence in the proceeding.

(e) The Commission shall not allow the electric utility to recover any recorded costs of purchased fuel and purchased power which were the result of any practice or transaction that was unreasonable or was undertaken, managed or performed imprudently by the electric utility, and the Commission shall order the electric utility to adjust its rates if the Commission determines that any recorded costs of purchased fuel and purchased power included in any quarterly rate adjustment or the annual deferred energy accounting adjustment application were not reasonable or prudent.

12. If an electric utility files an annual deferred energy accounting adjustment application pursuant to subsection 11 and NRS 704.187 while a general rate application is pending, the electric utility shall:

(a) Submit with its annual deferred energy accounting adjustment application information relating to the cost of service and rate design; and

(b) Supplement its general rate application with the same information, if such information was not submitted with the general rate application.

13. A utility facility identified in a 3-year plan submitted pursuant to NRS 704.741 and accepted by the Commission for acquisition or construction pursuant to NRS 704.751 and the regulations adopted pursuant thereto, or the retirement or elimination of a utility facility identified in an emissions reduction and capacity replacement plan submitted pursuant to NRS 704.7316 and accepted by the Commission for retirement or elimination pursuant to NRS 704.751 and the regulations adopted pursuant thereto, shall be deemed to be a prudent investment. The utility may recover all just and reasonable costs of planning and constructing, or retiring or eliminating, as applicable, such a facility. For the purposes of this subsection, a plan or an amendment to a plan shall be deemed to be accepted by the Commission only as to that portion of the plan or amendment accepted as filed or modified with the consent of the utility pursuant to NRS 704.751.

14. In regard to any rate or schedule approved or disapproved pursuant to this section, the Commission may, after a hearing:

(a) Upon the request of the utility, approve a new rate but delay the implementation of that new rate:

(1) Until a date determined by the Commission; and

(2) Under conditions as determined by the Commission, including, without limitation, a requirement that interest charges be included in the collection of the new rate; and

(b) Authorize a utility to implement a reduced rate for low-income residential customers.

15. The Commission may, upon request and for good cause shown, permit a public utility which purchases natural gas for resale or an electric utility to make a quarterly adjustment to its deferred energy accounting adjustment in excess of the maximum allowable adjustment pursuant to subsection 8 or 10.

16. A public utility which purchases natural gas for resale or an electric utility that makes quarterly adjustments to its deferred energy accounting adjustment pursuant to subsection 8 or 10 may submit to the Commission for approval an application to discontinue making quarterly adjustments to its deferred energy accounting adjustment and to subsequently make annual adjustments to its deferred energy accounting adjustment. The Commission may approve an application submitted pursuant to this subsection if the Commission finds that approval of the application is in the public interest.

17. As used in this section:

(a) "Deferred energy accounting adjustment" means the rate of a public utility which purchases natural gas for resale or an electric utility that is calculated by dividing the balance of a deferred account during a specified period by the total therms or kilowatt-hours which have been sold in the geographical area to which the rate applies during the specified period ~~[.]~~ *, not including kilowatt-hours sold pursuant to an expanded solar access program established pursuant to section 1 of this act.*

(b) "Electric utility" has the meaning ascribed to it in NRS 704.187.

(c) "Electric utility that primarily serves densely populated counties" means an electric utility that, with regard to the provision of electric service, derives more of its annual gross operating revenue in this State from customers located in counties whose population is 700,000 or more than it does from customers located in counties whose population is less than 700,000.

(d) "Electric utility that primarily serves less densely populated counties" means an electric utility that, with regard to the provision of electric service, derives more of its annual gross operating revenue in this State from customers located in counties whose population is less than 700,000 than it does from customers located in counties whose population is 700,000 or more.

Senator Cancela moved the adoption of the amendment.

Remarks by Senator Cancela.

Amendment No. 770 makes five changes to Assembly Bill No. 465. It first modifies the expanded solar-access program rate for participating eligible customers. Second, it requires the Public Utilities Commission of Nevada to include in its regulations the requirements for a fully bundled residential customer to certify that he or she cannot install solar resources on his or her premises. Third, it defines a "fully bundled customer." Fourth, it clarifies the definition of a "fully bundled general service customer" and "fully bundled residential customer." Fifth, it clarifies the definition of "deferred energy accounting adjustment" pursuant to NRS 704.110 and how the deferred energy-accounting adjustment is calculated.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Senator Scheible moved that Assembly Bill No. 30 be taken from the General File and placed on the Secretary's desk.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 29.

Bill read third time.

Remarks by Senator Cannizzaro.

Senate Bill No. 29 revises the definition of "unarmed combat" and authorizes the Nevada Athletic Commission to adopt, revise or repeal rules governing both amateur and professional unarmed combat under the Commission's jurisdiction. In addition, the bill establishes a requirement for promoters to remit a license fee equal to the cost of services provided by the Commission for events where no admission fees are collected. The bill also provides that certain money received by the Commission must be deposited to the Commission's account rather than the General Fund.

Senate Bill No. 29 allows the Commission to issue temporary licenses under certain circumstances and grants the Commission discretion regarding whether to require fingerprints to be submitted by ring officials, Commission employees and applicants who the Commission wishes to investigate. Senate Bill No. 29 also revises provisions related to the following: confidentiality, drug testing and license suspensions.

Finally, the bill clarifies when contestants must weigh-in for an event and that costs expended by the Commission for drug testing in relation to a disciplinary action can be included in the amount that must be paid by the subject of that action.

Roll call on Senate Bill No. 29:

YEAS—20.

NAYS—None.

EXCUSED—Washington.

Senate Bill No. 29 having received a two-thirds majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 204.

Bill read third time.

Remarks by Senators Spearman, Settelmeyer, Denis, Seevers Gansert, Hansen, Kieckhefer and Hardy.

SENATOR SPEARMAN:

Last year, the Nevada Youth Risk Behavior survey estimated that over 85,000 Nevada youth felt sad or hopeless for two weeks or more; nearly 44,000 youth seriously considered attempting suicide. Thirty-nine thousand made a plan, and 24,000 made an attempt.

Senate Bill No. 204 revises the model plans for the management of a suicide, crisis or emergency that are currently required to be developed by public schools, charter schools and private schools. Senate Bill No. 204 would require the model plan to include procedures for responding to a suicide or attempted suicide, providing counseling and other appropriate resources to pupils and school staff.

The board of trustees of a school district, the governing body of each university school for profoundly gifted pupils and the governing body of each charter school or private school that provides instruction to pupils in grades 7 through 12 is required to adopt a policy for the prevention

of suicide. This bill does not mandate any school do anything contrary to their current beliefs. It says we want to ensure we are looking at all students. We have 24,000 students in Nevada who have attempted suicide. One is too many, but 24,000 is certainly too many. I urge my colleagues to vote "yes" on Senate Bill No. 204.

SENATOR SETTELMEYER:

I appreciate the comments of my colleague from Senate District 1 and the desire to help people prevent suicide. As many of you know, my dad committed suicide, and I have some definite opinions on this. Within the bill, it says "private schools have to adopt policies," and I agree with that. Even private schools should have policies to try to help people deal with and not commit suicide; that is important. Within that, it also says "appropriate level of services," and that is where I think it is problematic.

When my dad passed, I did everything I could. I saw a shrink, prayed, anything to try and find a solution. This bill is trying to say it knows what the appropriate services are. I do not think that is possible. Section 11 says this policy is a condition of approving whether or not that school has the appropriate plan or whether their application should be accepted as a private school. In section 12, it states if the State Board reasonably believes the private school's policy does not comply in regards to section 10, their license can be revoked. It is not our place to tell a school what the reasonable, correct policy and appropriate services are. There is no one-size-fits-all; therefore, I cannot support the bill. It may be amended on the other side to correct these errors, but I will not support Senate Bill No. 204 as written.

SENATOR DENIS:

Senate Bill No. 204 came to the Education Committee. We had some of these issues and concerns, and I was always talking with our legal department to make sure we were addressing those issues. The first issue is the creation of the plan is not something new; they already are required to have one. However, it puts some guidelines in place. I appreciate the sponsor putting in language that does not mandate they do it but rather gives them flexibility. In there, they have some ideas of things they could consider as they do that.

There was a concern that one of the suggested amendments would have restricted freedom of religion and required schools put something in the plan that would be against their beliefs. Legal told me the way the bill it is currently written, it does not interfere with that. The second concern was if schools did not do it the way the bill says to do it, the school could they lose their license. I was told this policy could not be used as the determining factor to reject a license. Current procedures have to be used to determine whether to give a license or not to a private school. With the amendments that have been put into place, this will not require a religious school to do something they do not believe or feel that they should do. They are required to have some kind of plan in place and choose things which will work for their school. I am in support of the bill.

SENATOR SEEVERS GANSERT:

I rise in support of Senate Bill No. 204. The bill requires a policy be developed, planning and resources identified, but not, necessarily, that the school provide those resources. When we implemented the Safe Voice Program two years ago during the 2017 Session, we started collecting data where students self-identify whether they are suicidal or are threatening self-harm or threatening others. For calendar year 2018, there were 372 students who identified they were thinking about suicide or threatening to kill themselves and 354 who were threatening self-harm. This year to date, as of May 20, there have been 630 students who have either texted or called and said they are considering suicide and another 531 who are considering self-harm.

This is a huge issue and not just in this State. You read about "domino suicides" in the paper; one child commits suicide, and then, their friends consider it and maybe take their life as well. Having policies and procedures in place is important. There may be amendments added on the other side to improve the bill, but I think this is something we need to address because it is at an epidemic level in this State and across the United States.

SENATOR HANSEN:

In our extended family, a few years back, we had a thirteen-year-old young lady in Fallon who committed suicide. We are very sensitive to these issues. There are significant problems with this

bill, and this is why I will be voting "no". First is the question of policies; we have policies in place. This is an issue that has been extensively addressed in this building. As the bill points out, we now have the Office for a Safe and Respective Learning Environment. We also have the Statewide program for suicide prevention, which was passed last Session. These policies are currently in place, and the statistics just quoted came through these organizations.

This bill is an unfunded mandate. It was interesting in the Committee hearing that not a single school district testified in favor of this bill, and none of them were in the audience that day. The amendment changes the language from "shall" to "may" on which groups can be included; however, it is mandatory that private schools have to or are being forced to follow and adopt this policy. That is wrong. To use a bill to threaten a private school, if they do not adopt a policy some other group determines is sufficient or not, crosses the line.

I am 100 percent supportive of anything that will help reduce suicide, but a lot of this is redundant. The unfunded mandate is a major consideration. The people who testified on the bill were overwhelmingly opposed to it primarily based on the religious-freedom argument. We need to be careful because this bill crosses the line. If we were to have an amendment that eliminated 100 percent of the private schools portion, I could support that. I would like to see what our major public schools districts, especially Washoe and Clark, have to say. My understanding, based on private conversations with them, is they already have significant policies in place as mandated by *Nevada Revised Statutes*. There is no one in this room who is more supportive of efforts to reduce suicide among kids than myself, but I do not think this bill is a step in the right direction. I would encourage my colleagues to oppose Senate Bill No. 204.

SENATOR KIECKHEFER:

Senate Bill No. 204 ran through a Committee in Finance hearing. When it came up for a vote in the Finance Committee, I opposed it. I was erring on the wrong side of caution when it came to this bill due to the unfunded mandate for schools.

I was a junior in high school when a friend killed herself. She and another friend did it at the same time. It was 25 years ago in late April, and I remember it like it was yesterday, far more than I remember the lives they lived. They were 16, and they were popular, pretty, well-to-do, and everything seemed fine from the outside. They might not have been one of the target groups identified on this bill, but if they were susceptible to this as a choice they made, I think about the impact other groups that are significantly more at risk face.

I have concerns about forcing this into school districts, and I share some of the concerns about the hammer that is held over private schools. The implications of a suicide by a teenager are far-reaching, and what we can do, we should do. This bill moves us in a positive direction so some random state senator in another state doesn't have to talk about it 25 years from now.

SENATOR SPEARMAN:

I want to address the unfunded mandate piece. There is no money involved in this; it is a matter of those who are part of the administration reaching out to whomever they feel is necessary. During the testimony, we heard from a gentleman who brought this idea. He has given me permission to read a portion of this letter, dated February 2, 2018, into the record. I will make sure that you all have a copy of it. It reads in part: "Dear family or whoever reads this, I am so stressed and tired. I really want to die. I tried to do my best in school, but I can't and I am so depressed. I expect everyone expects everything of me to be perfect and so on." He also testified that he wrote the letter after taking a substantial amount of pills. The only reason he is here, today, is because his mother came to his room in time.

This bill says what we are doing right now is not enough. This is an attempt to try and bring those resources together. In testimony, it was identified that even though resources are available to many students, they have no idea what those resources are. Having a plan and making sure students are aware of those resources is a very important.

I have a letter given to me today, May 21, 2019, by the Nevada Counsel for American and Private Education in support of Senate Bill No. 204. It reads, in part, "The Nevada Counsel for American and Private Education is in support of Senate Bill No. 204 as currently amended. We deeply appreciate Senator Spearman's active leadership for the well-being and safety of all Nevada students." This organization represents private schools. I still urge your passage of this bill.

SENATOR HARDY:

I have been counting the times I have switched my vote on this in my head. With mental-health issues, there are points at which you are susceptible to being influenced. This bill, theoretically, makes us think, individually and collectively, about how we feel on a given moment or over a period of time. I am not convinced the bill is going to change an individual's behavior at a time when they are depressed or when they do not see alternatives or hope because that is part of the concept of depression. Sometimes, we can intervene at one of those points in some way, as my wife felt that she should go visit a friend and the friend later confided that she was contemplating ending her life at that time, and she did not. Without the mechanics of how to intervene or what to do, I think the bill goes part way but not all the way. I have been trying to figure out how I can vote for something that will not go all the way and will not accomplish the things we want to. There will be an opportunity, as people learn about the concept of prevention, for some good to come out of this. I am opposed to mandating people who have freedom to do something they do not want to do. I will, none the less, be supporting Senate Bill No. 204.

Roll call on Senate Bill No. 204:

YEAS—17.

NAYS—Goicoechea, Hansen, Settelmeyer—3.

EXCUSED—Washington.

Senate Bill No. 204 having received a constitutional majority, Madam President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Senate Bill No. 506.

Bill read third time.

Remarks by Senator Woodhouse.

Senate Bill No. 506 authorizes General Fund appropriations of $85,250 in Fiscal Year 2019 to the Division of State Library, Archives and Public Records of the Department of Administration for the replacement of a large book scanner.

Roll call on Senate Bill No. 506:

YEAS—20.

NAYS—None.

EXCUSED—Washington.

Senate Bill No. 506 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 521.

Bill read third time.

Remarks by Senator Woodhouse.

Senate Bill No. 521 makes a $64,664 supplemental General Fund appropriation to the Nevada Highway Patrol for an unanticipated shortfall in dignitary protection services for visiting dignitaries in State Fiscal Year 2019.

Roll call on Senate Bill No. 521:

YEAS—20.

NAYS—None.

EXCUSED—Washington.

Senate Bill No. 521 having received a constitutional majority, Madam President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Senate Bill No. 522.

Bill read third time.

Remarks by Senator Woodhouse.

Senate Bill No. 522 makes a $441,225 supplemental Highway Fund appropriation to the Nevada Highway Patrol for an unanticipated shortfall in gasoline costs in Fiscal Year 2019.

Roll call on Senate Bill No. 522:

YEAS—20.

NAYS—None.

EXCUSED—Washington.

Senate Bill No. 522 having received a constitutional majority, Madam President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 21.

Bill read third time.

Remarks by Senators Goicoechea and Hansen.

SENATOR GOICOECHEA:

Assembly Bill No. 21 authorizes the board of county commissioners to adopt an ordinance providing for the appointment of members of a local governing body rather than hold elections for the positions, if the following apply: the local government is located in a county whose population is less than 100,000, which are currently all counties except Clark and Washoe; each member of the local governing body is entitled to receive annual compensation of less than $6,000 for his or her service on the body, and the local governing body does not have enough current members to obtain a quorum. The bill also authorizes the board of county commissioners to repeal or amend the ordinance to return to electing the members of the local governing body.

Finally, the bill defines "local governing body" to mean any district, board, council or commission charged with executing limited duties or functions within the county and includes a town board, citizen's advisory council, general improvement district, county hospital district, fire protection district or irrigation district.

SENATOR HANSEN:

In many of these small counties, due to term limits, there are not enough people to serve on these boards. Additionally, when the term ends, they cannot get reappointed, and there are not enough people to participate. I urge my colleagues to support Assembly Bill No. 21.

Roll call on Assembly Bill No. 21:

YEAS—20.

NAYS—None.

EXCUSED—Washington.

Assembly Bill No. 21 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 37.

Bill read third time.

Remarks by Senators Parks and Pickard.

SENATOR PARKS:

Assembly Bill No. 37 eliminates the right of a serviceman or servicewoman to demand a trial by court martial instead of accepting a nonjudicial punishment. The bill also requires that a commanding officer considering imposing nonjudicial punishment consult with a judge advocate in determining whether nonjudicial punishment is appropriate and authorizes the commanding officer to consult with a superior officer in making that determination.

SENATOR PICKARD:

Please explain what the minor offenses might be. This is something we take seriously as due-process considerations are recognized. Jury trials are not necessary in every instance. I would like to put on the record the types of things we are talking about to alleviate some concerns.

SENATOR PARKS:

These would be minor infractions. The intent is to not tie-up the justice system within the military and to handle these minor infractions without implementing a full court martial. The judge advocate for the Nation Guard stated this is a process that has been approved by the National Guard at the national level and has been implemented in more than half the states in the Country.

Roll call on Assembly Bill No. 37:

YEAS—20.

NAYS—None.

EXCUSED—Washington.

Assembly Bill No. 37 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 79.

Bill read third time.

Remarks by Senators Dondero Loop, Seevers Gansert and Pickard.

SENATOR DONDERO LOOP:

Assembly Bill No. 79 provides an expedited procedure for the sale of property on which delinquent taxes, assessments, penalties, interest and costs are owed to a county and which the county has determined the property to be abandoned. For these properties, the bill reduces the redemption period for the property from two years to one year.

SENATOR SEEVERS GANSERT:

I rise in opposition to Assembly Bill No. 79. In reviewing the bill, the conditions are low for the determination of abandoned; you need to have at least two of a certain list of conditions. A couple of examples of the conditions are multiple windows of the property boarded off or closed off; doors on the property smashed; utilities turned off, and no person appearing to be residing in the property at the time the property is inspected. This threshold to be able to take someone's property is too low, so I will be voting against the bill.

SENATOR PICKARD:

I also rise in opposition to Assembly Bill No. 79. As my colleague from Senate District 15 pointed out, the standards are low. I would also note the notice period has been reduced from 90 to 30 days. I recognize this comes at the end of an investigatory period that can at times be lengthy, but this will make it very difficult. We are talking about a fundamental right, and we are walking on very thin ice. There are other things a municipality or a county can do to abate the difficulties that arise from abandoned property. They can assess that property with the costs of the abatement that they may undertake. There are methods of minimizing the impacts of neighborhoods without actually taking the property, so an expedited means of removing someone's property from their ownership is inappropriate. I urge my colleagues to vote "no".

Roll call on Assembly Bill No. 79:
YEAS—14.
NAYS—Goicoechea, Hammond, Hardy, Pickard, Seevers Gansert, Settelmeyer—6.
EXCUSED—Washington.

Assembly Bill No. 79 having received a constitutional majority, Madam President declared it passed.
Bill ordered transmitted to the Assembly.

Assembly Bill No. 83.
Bill read third time.
Remarks by Senator Scheible.
Assembly Bill No. 83 authorizes Nevada's Department of Wildlife to expend from the Wildlife Heritage Account in the State General Fund any funds in the Account which exceed $5 million. This bill also makes various changes concerning the administration and enforcement of wildlife provisions in Nevada law. Among other things, this bill expands the authority of an employee of the Department to take any wildlife for any purpose determined by the Director to be in the interest of public safety; adds moose to the list of protected animals that can only be hunted during certain times and with a tag; provides that certain animals may not be killed through the use of a manned or unmanned aircraft or helicopter, and revises the provisions under which a person may intentionally kill certain game animals when necessary to protect the life of livestock, pets or any person in imminent danger of being attacked.

Roll call on Assembly Bill No. 83:
YEAS—20.
NAYS—None.
EXCUSED—Washington.

Assembly Bill No. 83 having received a constitutional majority, Madam President declared it passed.
Bill ordered transmitted to the Assembly.

Assembly Bill No. 86.
Bill read third time.
Remarks by Senator Ohrenschall.
Assembly Bill No. 86 makes various changes to government purchasing provisions. It changes the terms "bid" to "response" and "request for bids" to "solicitation" in the Local Government Purchasing Act. It requires local governments to maintain records of all solicitations and all responses for seven years after the execution of the contract regardless of the estimated annual amount required to perform the contract. It increases from $50,000 to $100,000 the minimum monetary threshold at which local governmental purchasing contracts must be advertised. It requires a local government to award a contract on the basis of price if the estimated cost to perform the contract is between $50,000 and $100,000. Finally, the bill makes provisions of the Local Government Purchasing Act applicable to a metropolitan police department.

Roll call on Assembly Bill No. 86:
YEAS—20.
NAYS—None.
EXCUSED—Washington.

Assembly Bill No. 86 having received a constitutional majority, Madam President declared it passed.
Bill ordered transmitted to the Assembly.

Assembly Bill No. 88.

Bill read third time.

Remarks by Senator Woodhouse.

Assembly Bill No. 88 revises provisions relating to the reporting of average daily enrollment in public schools for the immediately preceding quarter of the school year by allowing these reports to be submitted the following business day by 5:00 p.m. if the deadline falls on a Saturday, Sunday or legal holiday. Assembly Bill No. 88 also revises the current reporting requirements regarding pupil-to-teacher ratios by school districts by basing these reports on average daily enrollment rather than average daily attendance. Finally, the bill as revises the provisions for the funding allocation for the next school year to local school precincts for large school districts, which currently is only Clark County School District, by requiring the large school district to estimate the number of pupils who will attend each local school precinct.

Roll call on Assembly Bill No. 88:

YEAS—20.

NAYS—None.

EXCUSED—Washington.

Assembly Bill No. 88 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 102.

Bill read third time.

Remarks by Senator Cannizzaro.

Assembly Bill No. 102 provides an enhanced criminal penalty for any person who knowingly and willfully commits certain crimes because of the fact that the victim is the spouse or the child of any age of a first responder. In addition to the term of imprisonment prescribed by statute for the crime, the person may be punished by imprisonment in the State prison for a minimum term of not less than 1 year and a maximum term of not more than 20 years. Lastly, the measure removes the crime of voluntary manslaughter from the crimes for which such an enhanced criminal penalty may be imposed.

Roll call on Assembly Bill No. 102:

YEAS—20.

NAYS—None.

EXCUSED—Washington.

Assembly Bill No. 102 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 107.

Bill read third time.

Remarks by Senator Ohrenschall.

Assembly Bill No. 107 requires each law enforcement agency in this State, in collaboration with the district attorney of the county in which the law enforcement agency is located, to adopt detailed, written policies regarding the electronic recording of custodial interrogations that are conducted in a place of detention. These policies must be made available to all law enforcement officers and for public inspection during normal business hours; include the circumstances when the custodial interrogation is required and not required to be electronically recorded, and be implemented no later than April 1, 2020.

This bill is a culmination of a lot of work during the interim between law enforcement and district attorneys. I urge its passage.

Roll call on Assembly Bill No. 107:
YEAS—20.
NAYS—None.
EXCUSED—Washington.

Assembly Bill No. 107 having received a constitutional majority, Madam President declared it passed.
Bill ordered transmitted to the Assembly.

Assembly Bill No. 120.
Bill read third time.
Remarks by Senator Dondero Loop.
Assembly Bill No. 120 provides a person is guilty of sex trafficking if he or she receives anything of value with the specific intent of facilitating any act that constitutes sex trafficking.

Roll call on Assembly Bill No. 120:
YEAS—20.
NAYS—None.
EXCUSED—Washington.

Assembly Bill No. 120 having received a constitutional majority, Madam President declared it passed.
Bill ordered transmitted to the Assembly.

Assembly Bill No. 126.
Bill read third time.
Remarks by Senator Ohrenschall.
Assembly Bill No. 126 enacts provisions governing the procedure for changing the name of an unemancipated minor who is in the custody of a child-welfare services agency. The measure sets forth the information that must be included in the petition to change the name of the child, including the reason for the name change and the verified consent of any parent of the child who consents to the name change. The court must make an order changing the name of the child as requested in the petition if the court determines that the name change is in the best interest of the child and the verified consent of each parent is stated in the petition. If the court determines that it is in the best interest of the child to waive the requirement for one or both parents to consent to the name change, the court is authorized to do so. If an objection is filed by a parent of the child, then, the court is required to hold a hearing.

Roll call on Assembly Bill No. 126:
YEAS—20.
NAYS—None.
EXCUSED—Washington.

Assembly Bill No. 126 having received a constitutional majority, Madam President declared it passed, as amended.
Bill ordered transmitted to the Assembly.

Assembly Bill No. 132.
Bill read third time.
The following amendment was proposed by Senator Dondero Loop:
Amendment No. 858.
SUMMARY—Revises provisions governing employment practices. (BDR 53-29)

AN ACT relating to employment; prohibiting the denial of employment because of the presence of marijuana in a screening test taken by a prospective employee with certain exceptions; authorizing an employee to rebut the results of a screening test under certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law establishes various unlawful employment practices. (Chapter 613 of NRS)

Section 2 of this bill prohibits, with certain exceptions, an employer from denying employment to a prospective employee because the prospective employee has submitted to a drug screening test and the test indicates the presence of marijuana. Section 2 further provides ~~[, however, that it is lawful for an employer to condition the employment of a prospective employee who does not hold a valid registry identification card to engage in the medical use of marijuana on the prospective employee's abstention from use of marijuana while performing his or her duties of employment. Finally, section 2 provides]~~ that if an employer requires an employee to submit to a screening test within his or her first 30 days of employment, the employer is required to accept and give appropriate consideration to the results of an additional screening test to which the employee submitted at his or her own expense.

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

Section 1. (Deleted by amendment.)

Sec. 2. Chapter 613 of NRS is hereby amended by adding thereto a new section to read as follows:

Except as otherwise specifically provided by law:

1. It is unlawful for any employer in this State to fail or refuse to hire a prospective employee because the prospective employee submitted to a screening test and the results of the screening test indicate the presence of marijuana.

2. The provisions of subsection 1 do not apply if the prospective employee is applying for a position:

(a) As a firefighter, as defined in NRS 450B.071;

(b) As an emergency medical technician, as defined in NRS 450B.065;

(c) That requires an employee to operate a motor vehicle and for which federal or state law requires the employee to submit to screening tests; or

(d) That, in the determination of the employer, could adversely affect the safety of others.

3. ~~[It is lawful for an employer in this State to require, as a condition of employment, a prospective employee who does not hold a valid registry identification card, as defined in NRS 453A.140, to abstain from using marijuana while carrying out the duties of his or her employment.~~

~~4.]~~ If an employer requires an employee to submit to a screening test within the first 30 days of employment, the employee shall have the right to submit to an additional screening test, at his or her own expense, to rebut the

results of the initial screening test. The employer shall accept and give appropriate consideration to the results of such a screening test.

~~[5.]~~ 4. The provisions of this section do not apply:

(a) To the extent that they are inconsistent or otherwise in conflict with the provisions of an employment contract or collective bargaining agreement.

(b) To the extent that they are inconsistent or otherwise in conflict with the provisions of federal law.

(c) To a position of employment funded by a federal grant.

~~[6.]~~ 5. As used in this section, "screening test" means a test of a person's blood, urine, hair or saliva to detect the general presence of a controlled substance or any other drug.

Sec. 3. (Deleted by amendment.)

Sec. 3.5. (Deleted by amendment.)

Sec. 4. This act becomes effective on January 1, 2020.

Senator Dondero Loop moved the adoption of the amendment.

Remarks by Senators Dondero Loop, Settelmeyer and Pickard.

SENATOR DONDERO LOOP:

Amendment No. 858 to Assembly Bill No. 132 deletes subsection 3 of section 2, which is duplicative of existing law.

SENATOR SETTELMEYER:

I will be voting "no" on this amendment to Assembly Bill No. 132. You are indicating it is a question of being duplicative to existing law, but I like that section being there.

SENATOR PICKARD:

For Assembly Bill No. 132, does this amendment remove the lawful exclusion of use of marijuana by an employer for their employee so they can no longer prevent the use of marijuana during their employment activities?

SENATOR DONDERO LOOP:

Subsection 2 authorizes employers to maintain, enact and enforce a workplace policy prohibiting or restricting the recreational use of marijuana. Subsection 3 of section 2 of the bill is duplicative because it also authorizes employers to prohibit the use of recreational marijuana while an employee is carrying out the duties of his or her employment. The amendment removes that language from Assembly Bill No. 132.

Conflict of interest declared by Senator Ohrenschall.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 174.

Bill read third time.

Remarks by Senator Parks.

Assembly Bill No. 174 creates the Nevada Interagency Advisory Council on Homelessness to Housing and prescribes the membership of the Council. Further, the bill requires the Council to collaborate with State and local agencies on their responses to homelessness and promote cooperation among federal, State and local agencies to address homelessness. Two, it develop a strategic plan for addressing homelessness in this State. Three, establish a technical assistance committee to provide advice and information to assist the Council in developing the strategic plan. Four, it increases awareness of issues related to homelessness in this State.

The bill authorizes the Council to collaborate with and request the assistance of providers of services or any person or entity with expertise in issues related to homelessness and requires State and local agencies to collaborate with and provide information to the Council.

Roll call on Assembly Bill No. 174:

YEAS—20.

NAYS—None.

EXCUSED—Washington.

Assembly Bill No. 174 having received a constitutional majority, Madam President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 183.

Bill read third time.

Remarks by Senator Ohrenschall.

Assembly Bill No. 183 requires, with certain exceptions, all correctional facilities in this State that house prisoners be under the administrative and direct operational control of the State or a local government and that core correctional services must be performed by employees of the State or local government and not by a private entity.

Nevada's Department of Corrections, until June 30, 2022, is allowed to enter into contracts with private entities to perform core correctional services to promote the safety of prisoners, employees of prisons and the public by reducing overcrowding in prisons. Any such entity must comply with the requirements for housing, custody, medical and mental-health treatment and programming set forth in law and regulation and approved by the Board of State Prison Commissioners. The Department is required to conduct an onsite inspection twice a year of private facilities where prisoners are housed to ensure compliance. The bill establishes conditions for the transfer of a prisoner to a facility that is located outside of Nevada.

Lastly, the Director of the Department is required to submit an annual report to the Director of the Legislative Counsel Bureau for transmittal to the Legislative Commission. Provisions of the bill allowing the Department of Corrections to enter into contracts with private entities to perform core correctional services expire by limitation on June 30, 2022. Provisions prohibiting such contracts are effective on July 1, 2022. All other provisions of the bill are effective on July 1, 2019.

Roll call on Assembly Bill No. 183:

YEAS—12.

NAYS—Goicoechea, Hammond, Hansen, Hardy, Kieckhefer, Pickard, Seevers Gansert, Settelmeyer—8.

EXCUSED—Washington.

Assembly Bill No. 183 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 186.

Bill read third time.

Remarks by Senators Harris, Pickard, Hardy, Hansen, Ohrenschall, Scheible, Settelmeyer, Kieckhefer and Cancela.

SENATOR HARRIS:

Assembly Bill No. 186 enacts the Agreement Among the States to Elect the President by National Popular Vote. The Agreement is an interstate compact in which member states agree to award their electors to the presidential candidate receiving the greatest number of votes nationally.

The Agreement provides for determination of the national popular vote winner; certification of a state's slate of electors; an effective date when states cumulatively possess a majority of the electoral votes have enacted the agreement and withdrawal from the Agreement under certain circumstances.

Article 2, Section 1, of the *United States Constitution* gives states exclusive control of awarding their electoral votes. Forty-eight states now award presidential electors on the basis of winner takes all. The compact would not take effect until it is enacted by states through the electoral votes would total enough to elect the President which is currently 270 of 538.

SENATOR PICKARD:

I urge my colleagues to vote against this bill. While Assembly Bill No. 186 is well-meaning and has a lot of good press in it that sounds great, I remind my colleagues we are in a republic where the founders of this County established the Electoral College to give states like Nevada an unequal presence in the national platform. This gives us influence where we do not normally have it. The most compelling testimony I heard was from a citizen who said: "Why would you give my vote away? Why would you consider the votes of the more populous states more important than those of our constituents in Nevada?" This bill would unduly limit and diminish the impact Nevada has on our national platform. It is irresponsible to consider giving away what little influence we have on the national stage to the more populous states that will ultimately control the elections. I urge my colleagues to vote "no" on Assembly Bill No. 186.

SENATOR HARDY:

I rise in opposition to Assembly Bill No. 186. I have been not inundated, but certainly whelmed, with emails that talk about democracy. We live in a democracy, and every vote should count in this democracy. I was reminded today, again, of the phrase "and to the Republic for which it stands." I am also reminded of the Senate and the Congress in this United States. I am reminded of the Assembly and the Senate and how deliberately we have made sure to allow for a balance, so the less populous states are not overwhelmed by states that are more populous. In this Republic, with this representative type government, we have to reach consensus. We have to reach compromises, and we have to consider everybody, whether they are rural or urban as an equal vote in this Republic. For these reasons, I am opposed to this bill.

SENATOR HANSEN:

I would say ditto to what my colleagues have said. We have a picture of Abraham Lincoln on the wall here in our Chamber. President Lincoln, arguably the most popular president in American history, was elected with 38 percent of the electoral numbers at the time. The Democratic Party, in 1860, split three ways, and that is why we have President Lincoln. Under this proposed bill, Abraham Lincoln would not have been elected.

The 12th Amendment to the *United States Constitution* lays out the electoral college system. If we want to change this process, we are supposed to go through an amendment process, which we are not following here. The amendment process is deliberately difficult. Three-fourths of the state legislators must approve the amendment as well as two-thirds of the United States Congress. This is an example of democracy that could be very dangerous.

If we want to go to one man, one vote, which seems to be the push behind this, we should want to eliminate the United States Senate. In Nevada there 3 million people. Our neighbor next door has 35 million, yet we have the exact same number of United State Senators. That clearly violates the concept of one man, one vote democracy. Why are these ideas in place? To protect the small people. The *United States Constitution* was brilliantly designed to protect minority populations, including the State of Nevada. I urge my colleagues not to tamper with the *United States Constitution.*

From a pure business perspective this would be a mistake. If candidates only have to focus on the more populous states, you will see a reduction, during presidential elections, on money spent in Nevada. More importantly, be careful when you start tampering with your constitutional rights. When we start changing what the founding fathers did, it is dangerous ground. If we truly want to amend the *United States Constitution*, we should follow the correct procedures, not attempt an end-around like this bill proposes. I urge my colleagues to vote against Assembly Bill No. 186.

SENATOR OHRENSCHALL:

I rise in support of Assembly Bill No. 186. If enough states agree to this Compact, it will ensure that every citizen's vote is counted. Nothing in this bill changes our first-in-the-west status in terms of the presidential caucuses. Nevada is a unique state, and I am certain candidates will come to Nevada if this passes. I urge its passage.

SENATOR SCHEIBLE:

Part of the brilliance of Assembly Bill No. 186 is that it works within the current design of the *United States Constitution*. When the Constitution was written, our founding fathers had a vision for how we would be governed. That included the use of an electoral college where the electors got to pick who they voted for, however they wanted to. That has both been used and abused in a variety of different ways.

Assembly Bill No. 186 says Nevada is choosing to join a group of states who say once there are enough members that it will actually make a difference, these states will use their electoral votes to vote for the winner of the national popular vote, thereby making the winner of the national popular vote the next President. This is not an end-run around the Constitution. It is not out of line with what the founding fathers envisioned for us. It is a way to say, as a state and as a legislature, we are communicating to our electors how we want them to cast their votes. It is saying we want them to cast their votes for the person who has won the popular vote. This seems the most fair, the most reasonable and the most common sense way to allocate the votes. Any other way to allocate the votes would be questionable. Joining the Compact and being part of this agreement between a variety of states until we reach the requisite number of electoral votes to make this compromise or make this Compact effective is a smart and forward-looking policy for Nevada. I urge passage of this bill.

SENATOR SETTELMEYER:

I have to disagree with my colleague from Senate District 21 with regard to Assembly Bill No. 186. It is clear that we will become a flyover state if this goes into effect. It is great that the State of Nevada has the ability to have presidential candidates come to our State and discuss the issues that are important to us, from natural resources to public lands. Over the last month, the majority party has had several presidential candidates visit this State. If we go to this type of system, they would not be here, they would focus their time on other states that are much larger than we are.

SENATOR KIECKHEFER:

I rise in opposition to Assembly Bill No. 186. I frame this debate on the most absurd scenario that could happen; every single Nevadan votes for one person for president. In the end, the 63 people in this building would be telling every other Nevadan their vote does not matter and when we send our delegation to the Electoral College, what they believe does not count. We know what is best, and we are going to vote for whomever wins all the other states. We do not care what you think, and we are just going to support what every other state wants regardless of what the people of this State want.

If the people of this State want to take this to a vote and decide this is how they want to allocate their electoral votes, because they are not ours they are theirs, then, that would be a right process for doing this. It is inappropriate for the 63 members of this Body to decide how the vote of every other Nevadan is going to be cast in the Electoral College.

SENATOR CANCELA:

I have been on the fence about this bill for a majority of this Session. What I was most concerned about were some of the issues brought up today, loss of resources and loss of prominence. What was most persuasive to me, which has not been mentioned today and is important for the Body to note, is this will not change the fact we continue to have competitive Senate races, competitive gubernatorial races and all sorts of other races that continue to elevate Nevada's prominence in the national electoral work. That, coupled with the idea that every other election in our Country is decided by the popular vote, persuaded me to support Assembly Bill No. 186. I urge my colleagues to do the same.

Roll call on Assembly Bill No. 186:

YEAS—12.

NAYS—Goicoechea, Hammond, Hansen, Hardy, Kieckhefer, Pickard, Seevers Gansert, Settelmeyer—8.

EXCUSED—Washington.

Assembly Bill No. 186 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 192.

Bill read third time.

Remarks by Senator Harris.

Assembly Bill No. 192 allows a person who was convicted of an offense before the offense was decriminalized, to submit a request to any court in which the person was convicted to have his or her record of criminal history relating to the conviction be sealed.

Roll call on Assembly Bill No. 192:

YEAS—20.

NAYS—None.

EXCUSED—Washington.

Assembly Bill No. 192 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 220.

Bill read third time.

Remarks by Senator Kieckhefer.

Assembly Bill No. 220 requires the State Board of Finance to issue not more than $8 million in general obligation bonds to fund certain environmental improvement and conservation projects included in the second phase of the Environmental Improvement Program for the Lake Tahoe Basin.

Roll call on Assembly Bill No. 220:

YEAS—20.

NAYS—None.

EXCUSED—Washington.

Assembly Bill No. 220 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 239.

Bill read third time.

Remarks by Senator Hardy.

Assembly Bill No. 239 authorizes a medical practitioner, other than a veterinarian, to prescribe a controlled substance to a patient if the practitioner determines it is medically necessary under certain conditions and the practitioner has a *bona fide* professional relationship with the patient. The bill also allows a more limited evaluation and risk assessment to be performed before issuing an initial controlled-substance prescription that is for 30 days or less. Furthermore, the bill exempts medical practitioners from various requirements when prescribing a controlled substance to patients with certain medical conditions.

This bill also clarifies that the State Board of Pharmacy may suspend or revoke a registration to dispense a controlled substance regardless of the authority of any other regulatory body to take disciplinary action for the same conduct.

Finally, this bill codifies various definitions into law that currently exist in regulations of the Board and requires certain information concerning prescriptions of controlled substances to be provided to various licensing boards and professionals who prescribe such controlled substances.

Roll call on Assembly Bill No. 239:

YEAS—20.

NAYS—None.

EXCUSED—Washington.

Assembly Bill No. 239 having received a constitutional majority, Madam President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 240.

Bill read third time.

Remarks by Senator Kieckhefer.

Assembly Bill No. 240 requires representatives from Carson City and Douglas, Lyon, Storey and Washoe Counties and the incorporated cities in each of these counties to each meet jointly at least twice per year and prepare a report at the end of each calendar year that identifies issues relating to, and makes recommendations regarding, the orderly management of growth in these counties and the region that these counties comprise. Annual joint reports relating to these meetings must be submitted to the Legislative Commission and to each Legislator who represents any portion of these counties. This bill is trying to get our arms around growth issues which supersedes one individual county in northern Nevada.

Roll call on Assembly Bill No. 240:

YEAS—19.

NAYS—Settelmeyer.

EXCUSED—Washington.

Assembly Bill No. 240 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 248.

Bill read third time.

Remarks by Senator Harris.

Assembly Bill No. 248 prohibits a settlement agreement from containing provisions that prohibit or restrict a party from disclosing certain factual information relating to a claim in a civil or administrative action if such a claim relates to conduct that would otherwise qualify as a sexual offense punishable as a felony, under certain circumstances; discrimination on the basis of sex by an employer or a landlord or an act of retaliation by such an employer or landlord for a claim of discrimination. In addition, a court is prohibited from entering any order that prohibits or restricts the disclosure of such factual information.

The measure also exempts a settlement agreement that results from successful mediation or conciliation by the Nevada Equal Rights Commission from the requirements of this bill, under certain circumstances.

Roll call on Assembly Bill No. 248:

YEAS—20.

NAYS—None.

EXCUSED—Washington.

Assembly Bill No. 248 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 258.

Bill read third time.

Remarks by Senator Woodhouse.

Assembly Bill No. 258 authorizes a pupil, or his or her parent or guardian, who is the subject of a decision or a settlement agreement resulting from a due-process hearing to submit a complaint to Nevada's Department of Education if a local educational agency or charter school fails to comply with the decision or settlement agreement. If the Department finds merit in the allegations, the Department is required to take measures to ensure the local education agency or charter school complies with the decision or settlement agreement and any additional measures determined necessary to ensure that the pupil receives a free and appropriate public education. Additionally, Assembly Bill No. 258 requires a pupil with a disability to participate in an alternative assessment to receive an adjusted diploma, rather than pass such an assessment.

Roll call on Assembly Bill No. 258:

YEAS—20.

NAYS—None.

EXCUSED—Washington.

Assembly Bill No. 258 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 261.

Bill read third time.

Remarks by Senator Hammond.

Assembly Bill No. 261 requires each school district and charter school to annually report to Nevada's Department of Education certain information from School Years 2019-2020 and 2020-2021 concerning training for teachers and administrators in the personal safety of children and the number of incidents of child abuse or sexual abuse of a child disclosed or reported to a law enforcement agency. The bill further requires the Department to compile the reports of this information for each school year and submit the compiled reports to the Legislative Committee on Education.

Roll call on Assembly Bill No. 261:

YEAS—20.

NAYS—None.

EXCUSED—Washington.

Assembly Bill No. 261 having received a constitutional majority, Madam President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 270.

Bill read third time.

Remarks by Senator Goicoechea.

Assembly Bill No. 270 authorizes a regional transportation commission to sell at a public auction property acquired through eminent-domain proceedings or purchased under the threat of eminent-domain proceedings that is no longer needed for public use. The bill also authorizes a

public transit system in a county whose population is less than 700,000 to provide transportation to certain areas and persons using microtransit.

Roll call on Assembly Bill No. 270:
YEAS—19.
NAYS—Ohrenschall.
EXCUSED—Washington.

Assembly Bill No. 270 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 272.

Bill read third time.

Remarks by Senator Hansen.

Assembly Bill No. 272 requires law enforcement agencies in a county whose population is 100,000 or more, currently Clark and Washoe Counties, to participate in the National Integrated Ballistic Information Network of the Bureau of Alcohol, Tobacco, Firearms and Explosives of the United States Department of Justice. The law enforcement agency is required to recover an unlawfully possessed semiautomatic pistol or shell casing from a crime scene and deliver it to a designated forensic laboratory for testing. Any resulting data is required to be entered into the National Integrated Ballistic Information Network.

Roll call on Assembly Bill No. 272:
YEAS—20.
NAYS—None.
EXCUSED—Washington.

Assembly Bill No. 272 having received a two-thirds majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 274.

Bill read third time.

Remarks by Senator Ohrenschall.

Assembly Bill No. 274 makes the placement of false information in the personnel file of a state or local governmental officer or employee who discloses improper governmental action a form of reprisal or retaliatory action. The bill clarifies that using or attempting to use official authority or influence to intimidate, threaten, coerce, command or influence another State or local governmental officer or employee to take reprisal or retaliatory action is prohibited.

In addition to other provisions, the bill authorizes the filing of an appeal with a hearing officer for violations of the provisions relating to use of official authority or influence and additionally authorizes a hearing officer to order the termination of the employment of an individual for misuse of one's official authority or influence.

Finally, the bill makes it mandatory for a local government to enact procedures that provide at least the same amount of protection against reprisal and retaliation as is provided in existing law and authorizes such procedures to provide greater protection than the protection provided in existing law.

Roll call on Assembly Bill No. 274:
YEAS—20.
NAYS—None.
EXCUSED—Washington.

Assembly Bill No. 274 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

MOTIONS, RESOLUTIONS AND NOTICES

Senator Ratti moved that Assembly Bills Nos. 280, 285, 304, 310, 317, 334, 335, 340, 347, 362, 363, 365, 370, 385, 387, 398, 403, 404, 406, 410, 413, 427, 429, 430, 431, 432, 448, 450, 462, 472, 478, 488, 490; Assembly Joint Resolutions Nos. 3, 4, 6, 7, 8 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

UNFINISHED BUSINESS
CONSIDERATION OF ASSEMBLY AMENDMENTS

Senate Bill No. 178.

The following Assembly amendments were read:

Amendment No. 688.

JOINT SPONSORS: ASSEMBLYMEN MCCURDY, WATTS, FRIERSON; ASSEFA, CARRILLO, FUMO, GORELOW, JAUREGUI, KRASNER, MILLER, MONROE-MORENO, NGUYEN, PETERS AND ROBERTS

SUMMARY—Creates the Council on Food Security and the Food for People, Not Landfills Program. (BDR 18-57)

AN ACT relating to public health; creating the Council on Food Security within the Department of Health and Human Services; prescribing the membership and duties of the Council; creating the Food for People, Not Landfills Program; authorizing the Director of the Department of Health and Human Services to adopt regulations to carry out the Program; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

In 2014, the Governor established by executive order the Council on Food Security. (Executive Order 2014-03 (2-12-2014)) The Council was charged with various responsibilities related to the implementation of the goals of the "2013 Food Security in Nevada: Nevada's Plan of Action" issued by the Department of Health and Human Services ("the Plan") and the improvement of the quality of life and health of persons in this State by increasing food security throughout the State. Section 7 of this bill creates the Council in statute and prescribes its membership, which includes ex officio members and members appointed by the Governor and the Director of the Department of Health and Human Services at the direction of the Governor. Section 8 of this bill authorizes the Chair of the Council to appoint subcommittees to study issues within the scope of the duties of the Council. Section 9 of this bill prescribes the duties of the Council, which include: (1) various responsibilities related to implementation of the Plan; (2) advising the Governor on matters related to food security; (3) advising, assisting and making recommendations to the Director for the administration of the Food for People, Not Landfills Program; and (4) submitting an annual report to the Director and the Director

of the Legislative Counsel Bureau regarding the accomplishments and recommendations of the Council.

Section 10 of this bill creates the Food for People, Not Landfills Program within the Department of Health and Human Services for the purposes of increasing food security by decreasing food waste, redirecting excess consumable food to a higher and better purpose and recognizing and assisting persons who further those purposes. In administering the program, the Director of the Department is required to: (1) set forth goals and objectives for the ensuing 5 years to increase the amount of food diverted from landfills and utilize such food to increase food security; (2) establish criteria for a food donor to participate in the Program; (3) create an official seal for the Program and allow a participant to use the official seal; (4) take any other action the Director deems necessary to assist a participant in the Program in furthering the goals of the Program; and (5) submit an annual report to the Legislature concerning the Program. Section 10 authorizes the Director to adopt regulations based upon the recommendations of the Council to carry out the Program.

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

Section 1. Chapter 232 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 10, inclusive, of this act.

Sec. 2. *As used in sections 2 to 10, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 3 to 6, inclusive, of this act have the meanings ascribed to them in those sections.*

Sec. 3. *"Council" means the Council on Food Security created by section 7 of this act.*

Sec. 3.5. *"Food donor" means a person or entity, including, without limitation, a restaurant, grocery store or retail or wholesale business, that gives or otherwise provides food, directly or indirectly, to persons in need of food.*

Sec. 4. *"Food security" means the ability of a person to access enough food for an active and healthy life.*

Sec. 5. *"Plan" means the "2013 Food Security in Nevada: Nevada's Plan for Action" issued by the Department of Health and Human Services.*

Sec. 6. *"Program" means the Food for People, Not Landfills Program created by section 10 of this act.*

Sec. 7. *1. The Council on Food Security is hereby created within the Department. The Council consists of:*

(a) The Governor or his or her designee;

(b) The Director or his or her designee from within the Department;

(c) The Administrator of the Division of Welfare and Supportive Services of the Department or his or her designee from within the Division;

(d) The Regional Administrator for the Western Regional Office of the United States Department of Agriculture, Food and Nutrition Service or his or her designee from within the United States Department of Agriculture;

(e) The Executive Director of the Office of Economic Development or his or her designee from within the Office;

(f) The Administrator of the Division of Public and Behavioral Health of the Department or his or her designee from within the Division;

(g) The Superintendent of Public Instruction or his or her designee from within the Department of Education;

(h) The Director of the State Department of Agriculture or his or her designee from within the Department;

(i) The Administrator of the Aging and Disability Services Division of the Department or his or her designee from within the Division;

(j) Five members appointed by the Governor as follows:

(1) One member who is a representative of retailers of food;

(2) One member who is a representative of manufacturing that is not related to food;

(3) One member who is a representative of the gaming industry, hospitality industry or restaurant industry;

(4) One member who is a representative of farmers or ranchers engaged in food production; and

(5) One member who is a representative of persons engaged in the business of processing or distributing food;

(k) At least five members appointed by the Governor or the Director at the direction of the Governor from among the following persons:

(1) A person who is a representative of a food bank serving northern Nevada;

(2) A person who is a representative of a food bank serving southern Nevada;

(3) A person who is a representative of an organization that provides community-based services, including, without limitation, services that focus on the social determinants of health, in northern Nevada;

(4) A person who is a representative of an organization that provides community-based services, including, without limitation, services that focus on the social determinants of health, in southern Nevada;

(5) A person who is a representative of an organization that provides community-based services, including, without limitation, services that focus on the social determinants of health, in rural Nevada;

(6) A person who is a representative of the University of Nevada Cooperative Extension;

(7) A person who possesses knowledge, skill and experience in the provision of services to senior citizens and persons with disabilities;

(8) A person who is a representative of a local health authority; and

(9) A person who possesses knowledge, skill and experience in the provision of services to children and families; and

(l) Such other representatives of State Government as may be designated by the Governor.

2. The Governor or his or her designee shall serve as the Chair of the Council.

3. Each appointed member of the Council serves a term of 2 years. Each appointed member may be reappointed at the pleasure of the appointing authority, except that an appointed member may not serve for more than three consecutive terms or 6 consecutive years.

4. If a vacancy occurs in the appointed membership of the Council, the Council shall recommend a person to the appointing authority who appointed that member to fill the vacancy. The appointing authority shall appoint a replacement member after receiving and considering the recommendation of the Council. A member appointed to fill a vacancy shall serve as a member of the Council for the remainder of the original term of appointment and may be reappointed for two additional consecutive terms through the regular appointment process.

5. The appointing authority may remove a member for malfeasance in office or neglect of duty. Absences from three consecutive meetings constitutes good and sufficient cause for removal of a member.

6. Each member of the Council:

(a) Serves without compensation; and

(b) While engaged in the business of the Council, is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally.

7. The Department of Health and Human Services shall provide administrative support to the Council.

8. The Council shall meet at least once each calendar quarter and may meet at such further times as deemed necessary by the Chair.

9. The Council may apply for and accept gifts, grants, donations and contributions from any source for the purpose of carrying out its duties pursuant to section 9 of this act.

Sec. 8. *1. The Chair of the Council on Food Security created by section 7 of this act may appoint subcommittees composed of members of the Council, former members of the Council and members of the public who have relevant experience or knowledge to consider specific problems or other matters that are related to and within the scope of the functions of the Council.*

2. A subcommittee appointed pursuant to subsection 1 must not contain more than five members. To the extent practicable, the members of such a subcommittee must be representative of the various geographic areas and ethnic groups of this State.

Sec. 9. *The Council on Food Security created by section 7 of this act shall:*

1. Develop, coordinate and implement a food system that will:

(a) Partner with initiatives in economic development and social determinants of health;

(b) Increase access to improved food resource programs;

(c) Increase participation in federal nutrition programs by eligible households; and

(d) Increase capacity to produce, process, distribute and purchase food in an affordable and sustainable manner.

2. Hold public hearings to receive public comment and to discuss issues related to food security in this State.

3. Serve as a clearinghouse for the review and approval of any events or projects initiated in the name of the Plan.

4. Review and comment on any proposed federal, state or local legislation and regulation that would affect the food policy system of this State.

5. Advise and inform the Governor on the food policy of this State.

6. Review grant proposals and alternative funding sources as requested by the Director to provide recommendations for funding the Plan.

7. Develop new resources related to the Plan.

8. Advise, assist and make recommendations to the Director for the creation and administration of the Program.

9. On or before January 31 of each year submit an annual report to the Director and the Director of the Legislative Counsel Bureau concerning the accomplishments and recommendations of the Council concerning food security.

Sec. 10. *1. The Food for People, Not Landfills Program is hereby established within the Department for the purposes of increasing food security by decreasing food waste, redirecting excess consumable food to a higher and better purpose and recognizing and assisting food donors who further those purposes.*

2. The Director shall administer the Program. In administering the Program, the Director shall:

(a) Set forth goals and objectives for the ensuing 5 years to increase the amount of food diverted from landfills and utilize such food to increase food security;

(b) Establish the criteria for eligibility for a food donor to participate in the Program;

(c) Create an official seal for the Program;

(d) Allow a food donor who participates in the Program to display or otherwise use the official seal of the Program; and

(e) Take any other actions as the Director deems necessary to assist a food donor who participates in the Program to further the goals and objectives set forth pursuant to paragraph (a).

3. A person shall not use, copy or reproduce the official seal of the Program created pursuant to subsection 2 in any way not authorized by this section.

4. The Director may, based upon the recommendations of the Council pursuant to section 9 of this act, adopt regulations to carry out the provisions of this section.

5. On or before January 31 of each year, the Director shall submit to the Director of the Legislative Counsel Bureau for transmittal to the Legislature a report concerning the accomplishments of the Program and the impact of the Program on food security in this State.

Sec. 11. NRS 232.290 is hereby amended to read as follows:

232.290 As used in NRS 232.290 to 232.4858, inclusive, *and sections 2 to 10, inclusive, of this act,* unless the context requires otherwise:

1. "Department" means the Department of Health and Human Services.

2. "Director" means the Director of the Department.

Sec. 12. Notwithstanding the provisions of section 7 of this act, the Council on Food Security created by the Governor by executive order on February 12, 2014, shall be deemed to be the Council on Food Security established pursuant to section 7 of this act until the appointing authorities appoint the members of the Council on Food Security pursuant to section 7 of this act.

Sec. 12.5. The provisions of subsection 1 of NRS 218D.380 do not apply to any provision of this act which adds or revises a requirement to submit a report to the Legislature.

Sec. 13. This act becomes effective on July 1, 2019.

Amendment No. 725.

JOINT SPONSORS: ASSEMBLYMEN MCCURDY, WATTS, FRIERSON; ASSEFA, BACKUS, BILBRAY-AXELROD, COHEN, DURAN, FLORES, FUMO, GORELOW, JAUREGUI, KRASNER, LEAVITT, MARTINEZ, MILLER, MONROE-MORENO, MUNK, NGUYEN, PETERS , ~~[AND]~~ ROBERTS , SMITH, SPIEGEL, SWANK, TORRES AND YEAGER

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issues within the scope of the duties of the Council. Section 9 of this bill prescribes the duties of the Council, which include: (1) various responsibilities related to implementation of the Plan; (2) advising the Governor on matters related to food security; (3) advising, assisting and making recommendations to the Director for the administration of the Food for People, Not Landfills Program; and (4) submitting an annual report to the Director and the Director of the Legislative Counsel Bureau regarding the accomplishments and recommendations of the Council.

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(d) The Regional Administrator for the Western Regional Office of the United States Department of Agriculture, Food and Nutrition Service or his or her designee from within the United States Department of Agriculture;

(e) The Executive Director of the Office of Economic Development or his or her designee from within the Office;

(f) The Administrator of the Division of Public and Behavioral Health of the Department or his or her designee from within the Division;

(g) The Superintendent of Public Instruction or his or her designee from within the Department of Education;

(h) The Director of the State Department of Agriculture or his or her designee from within the Department;

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(2) One member who is a representative of manufacturing that is not related to food;

(3) One member who is a representative of the gaming industry, hospitality industry or restaurant industry;

(4) One member who is a representative of farmers or ranchers engaged in food production; and

(5) One member who is a representative of persons engaged in the business of processing or distributing food;

(k) At least five members appointed by the Governor or the Director at the direction of the Governor from among the following persons:

(1) A person who is a representative of a food bank serving northern Nevada;

(2) A person who is a representative of a food bank serving southern Nevada;

(3) A person who is a representative of an organization that provides community-based services, including, without limitation, services that focus on the social determinants of health, in northern Nevada;

(4) A person who is a representative of an organization that provides community-based services, including, without limitation, services that focus on the social determinants of health, in southern Nevada;

(5) A person who is a representative of an organization that provides community-based services, including, without limitation, services that focus on the social determinants of health, in rural Nevada;

(6) A person who is a representative of the University of Nevada Cooperative Extension;

(7) A person who possesses knowledge, skill and experience in the provision of services to senior citizens and persons with disabilities;

(8) A person who is a representative of a local health authority; and

(9) A person who possesses knowledge, skill and experience in the provision of services to children and families; and

(l) Such other representatives of State Government as may be designated by the Governor.

2. The Governor or his or her designee shall serve as the Chair of the Council.

3. Each appointed member of the Council serves a term of 2 years. Each appointed member may be reappointed at the pleasure of the appointing authority, except that an appointed member may not serve for more than three consecutive terms or 6 consecutive years.

4. If a vacancy occurs in the appointed membership of the Council, the Council shall recommend a person to the appointing authority who appointed that member to fill the vacancy. The appointing authority shall appoint a replacement member after receiving and considering the recommendation of the Council. A member appointed to fill a vacancy shall serve as a member of the Council for the remainder of the original term of appointment and may be reappointed for two additional consecutive terms through the regular appointment process.

5. The appointing authority may remove a member for malfeasance in office or neglect of duty. Absences from three consecutive meetings constitutes good and sufficient cause for removal of a member.

6. Each member of the Council:

(a) Serves without compensation; and

(b) While engaged in the business of the Council, is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally.

7. The Department of Health and Human Services shall provide administrative support to the Council.

8. The Council shall meet at least once each calendar quarter and may meet at such further times as deemed necessary by the Chair.

9. The Council may apply for and accept gifts, grants, donations and contributions from any source for the purpose of carrying out its duties pursuant to section 9 of this act.

Sec. 8. *1. The Chair of the Council on Food Security created by section 7 of this act may appoint subcommittees composed of members of the Council, former members of the Council and members of the public who have relevant experience or knowledge to consider specific problems or other matters that are related to and within the scope of the functions of the Council.*

2. A subcommittee appointed pursuant to subsection 1 must not contain more than five members. To the extent practicable, the members of such a subcommittee must be representative of the various geographic areas and ethnic groups of this State.

Sec. 9. *The Council on Food Security created by section 7 of this act shall:*

1. Develop, coordinate and implement a food system that will:

(a) Partner with initiatives in economic development and social determinants of health;

(b) Increase access to improved food resource programs;

(c) Increase participation in federal nutrition programs by eligible households; and

(d) Increase capacity to produce, process, distribute and purchase food in an affordable and sustainable manner.

2. Hold public hearings to receive public comment and to discuss issues related to food security in this State.

3. Serve as a clearinghouse for the review and approval of any events or projects initiated in the name of the Plan.

4. Review and comment on any proposed federal, state or local legislation and regulation that would affect the food policy system of this State.

5. Advise and inform the Governor on the food policy of this State.

6. Review grant proposals and alternative funding sources as requested by the Director to provide recommendations for funding the Plan.

7. Develop new resources related to the Plan.

8. Advise, assist and make recommendations to the Director for the creation and administration of the Program.

9. On or before January 31 of each year submit an annual report to the Director and the Director of the Legislative Counsel Bureau concerning the accomplishments and recommendations of the Council concerning food security.

Sec. 10. *1. The Food for People, Not Landfills Program is hereby established within the Department for the purposes of increasing food security by decreasing food waste, redirecting excess consumable food to a higher and better purpose and recognizing and assisting food donors who further those purposes.*

2. The Director shall administer the Program. In administering the Program, the Director shall:

(a) Set forth goals and objectives for the ensuing 5 years to increase the amount of food diverted from landfills and utilize such food to increase food security;

(b) Establish the criteria for eligibility for a food donor to participate in the Program;

(c) Create an official seal for the Program;

(d) Allow a food donor who participates in the Program to display or otherwise use the official seal of the Program; and

(e) Take any other actions as the Director deems necessary to assist a food donor who participates in the Program to further the goals and objectives set forth pursuant to paragraph (a).

3. A person shall not use, copy or reproduce the official seal of the Program created pursuant to subsection 2 in any way not authorized by this section.

4. The Director may, based upon the recommendations of the Council pursuant to section 9 of this act, adopt regulations to carry out the provisions of this section.

5. On or before January 31 of each year, the Director shall submit to the Director of the Legislative Counsel Bureau for transmittal to the Legislature a report concerning the accomplishments of the Program and the impact of the Program on food security in this State.

Sec. 11. NRS 232.290 is hereby amended to read as follows:

232.290 As used in NRS 232.290 to 232.4858, inclusive, *and sections 2 to 10, inclusive, of this act,* unless the context requires otherwise:

1. "Department" means the Department of Health and Human Services.

2. "Director" means the Director of the Department.

Sec. 12. Notwithstanding the provisions of section 7 of this act, the Council on Food Security created by the Governor by executive order on February 12, 2014, shall be deemed to be the Council on Food Security established pursuant to section 7 of this act until the appointing authorities appoint the members of the Council on Food Security pursuant to section 7 of this act.

Sec. 12.5. The provisions of subsection 1 of NRS 218D.380 do not apply to any provision of this act which adds or revises a requirement to submit a report to the Legislature.

Sec. 13. This act becomes effective on July 1, 2019.

Senator Parks moved that the Senate concur in Assembly Amendments Nos. 688, 725 to Senate Bill No. 178.

Remarks by Senator Parks:

Amendment Nos. 668 and 725 to Senate Bill No. 178 adds joint sponsors to the measure.

Motion carried by a constitutional majority.

Bill ordered enrolled.

REPORTS OF COMMITTEE

Madam President:

Your Committee on Commerce and Labor, to which were referred Assembly Bills Nos. 290, 496, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

PAT SPEARMAN, *Chair*

Madam President:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 397, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DAVID R. PARKS, *Chair*

Madam President:

Your Committee on Health and Human Services, to which was referred Assembly Bill No. 298, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JULIA RATTI, *Chair*

Madam President:

Your Committee on Legislative Operations and Elections, to which was referred Assembly Bill No. 282, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES OHRENSCHALL, *Chair*

SECOND READING AND AMENDMENT

Assembly Bill No. 62.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources:

Amendment No. 799.

SUMMARY—Revises provisions related to water. (BDR 48-215)

AN ACT relating to water; ~~[authorizing, under certain circumstances,]~~ requiring the State Engineer to ~~[grant an additional extension of]~~ adopt regulations relating to the time for the completion of work ~~[for the diversion of]~~ and the application of water ~~[to projects that include the municipal or quasi-municipal use of water; revising the time period for which the State Engineer may grant an extension for the completion of work for the diversion of water; authorizing, under certain circumstances,]~~ to beneficial use; requiring the State Engineer to ~~[suspend the limitation of time for the completion of work set forth in a permit or an extension previously granted;]~~ conduct a survey relating to extensions of time to perfect a water right; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Upon approving an application for a permit to appropriate water, existing law : (1) requires the State Engineer to set a deadline by which the construction related to the appropriation of water must be completed and application of water to beneficial use must be made; and (2) authorizes the State Engineer to extend ~~[,]~~ those deadlines under certain circumstances . ~~[, the deadline by which construction related to the appropriation of water or the application of water to a beneficial use must be completed or made.]~~ With limited exceptions, any number of extensions may be granted, but a single extension may not exceed 5 years. (NRS 533.380, 533.390, 533.410)

~~[Section 1 of this bill authorizes the State Engineer to grant an additional extension of time for the completion of work for the diversion of water to the holder of a permit for a project that includes the municipal or quasi-municipal use of water if: (1) the applicant has adopted a capital improvement plan that is consistent with a water resource plan adopted by a county, city or water authority; and (2) the applicant is able to demonstrate that the amount of time he or she expects to complete construction of the works is reasonable and that he or she has the financial ability to complete construction.~~

~~— Section 2 of this bill revises the provisions relating to extending the deadline by which construction related to the appropriation of water must be completed. If a permit has been issued for a project that includes the municipal or quasi-municipal use of water, the State Engineer may grant one or more~~

~~extensions, but, with limited exception, the total number of extensions may not extend the construction deadline for more than 15 years. If a permit has been issued for a project that is not a municipal or quasi-municipal use and that includes the diversion of 2 or more cubic feet of water per second or the cultivation of at least 100 acres of land, the State Engineer may grant one or more extensions, but the total number of extensions may not extend the construction deadline for more than 10 years. If a permit has been issued for any other purpose, the State Engineer may grant one or more extensions, but the total number of extensions may not extend the construction deadline for more than 5 years.~~

~~Section 2 also authorizes the State Engineer to suspend the limitation of time for the completion of construction set forth in a permit or any extension if the permit holder submits sufficient proof to the State Engineer demonstrating that the person has been unable to complete the work because of certain pending administrative or court actions. Section 2 further provides that the State Engineer may grant any number of suspensions, but a single suspension may not exceed 2 years.~~

~~Sections]~~ Section 1.5 ~~[and 3]~~ of this bill ~~[make conforming changes.]~~ requires the State Engineer to adopt regulations to carry out these provisions.

Section 4 of this bill requires the State Engineer to conduct a survey during the 2019-2020 interim to determine how other jurisdictions in the United States manage extensions of time to perfect a water right.

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

Section 1. ~~*[*~~Chapter 533 of NRS is hereby amended by adding thereto a new section to read as follows:~~

~~*1. In addition to any extensions granted pursuant to NRS 533.390, the State Engineer may grant a single extension of time to file the proof of completion of work for a project that includes the municipal or quasi-municipal use of water if the governing body of a county or city in which the place of use for the project is located or the water authority that serves the area in which the place of use for the project is located has adopted a water resource plan, that includes, without limitation:*~~

~~*(a) The identification of all known sources of surface water, groundwater and effluent that are physically and legally available for use in the community.*~~

~~*(b) An analysis of the:*~~

~~*(1) Existing demand for water in the community; and*~~

~~*(2) Expected demand for water in the community caused by projected growth.*~~

~~*(c) An analysis of whether the sources of water identified in paragraph (a) are of sufficient quality and quantity to satisfy the existing and expected demands described in paragraph (a).*~~

~~*(d) If the analysis pursuant to paragraph (c) determines that the sources of water identified in paragraph (a) are not of sufficient quality or quantity to*~~

~~*satisfy demands, a plan for obtaining additional water of sufficient quality and quantity.*~~

~~*2. To request an extension of time pursuant to subsection 1, a holder of a permit must submit to the State Engineer an application for an extension of time within 30 days after receiving notice by registered or certified mail that proof of work is due as provided for in NRS 533.390 and 533.410. The application must include, without limitation:*~~

~~*(a) A capital improvement plan for the project in accordance with the requirements of subsection 3; and*~~

~~*(b) Evidence that the capital improvement plan is consistent with a water resource plan adopted by the governing body of a county or city or a water authority that meets the requirements of subsection 1.*~~

~~*3. A capital improvement plan must include, without limitation:*~~

~~*(a) An evaluation of the supply, distribution, condition of existing facilities and operation and maintenance programs of the water system of the applicant;*~~

~~*(b) A description of the construction work necessary to complete the works of diversion, system of conveyance or any associated facilities necessary to apply the water to beneficial use;*~~

~~*(c) A demonstration that the works and any associated facilities included in the project are capable of conveying the water to the place of use;*~~

~~*(d) A demonstration that:*~~

~~*(1) There is sufficient funding available to the applicant to complete construction of the project; or*~~

~~*(2) If the project is composed of several features, the applicant has the financial ability and reasonable expectations to complete construction of all features of the project; and*~~

~~*(e) Any additional information requested by the State Engineer.*~~

~~*4. In determining whether to grant or deny a request for an extension pursuant to subsection 1, the State Engineer:*~~

~~*(a) Shall consider the requirements set forth in NRS 533.380; and*~~

~~*(b) May consider:*~~

~~*(1) The reasonableness of the amount of time the applicant expects to complete construction of the works and any associated facilities;*~~

~~*(2) The reasonableness of the financial ability of the applicant to complete construction of the works and any associated facilities;*~~

~~*(3) Whether, at the time the applicant requested the extension, the applicant had available funding to complete construction of the works and any associated facilities; and*~~

~~*(4) Any other factor presented by the applicant to demonstrate that he or she has a reasonable and certain time frame for completing construction of the works and any associated facilities.*~~

~~*5. The State Engineer may approve or deny a request for an extension pursuant to this section following a public hearing on the request. The State Engineer must provide reasonable notice of such public hearing. If, following*~~

~~*the public hearing, the State Engineer determines that the applicant has not demonstrated that the applicant:*~~

~~*(a) Expects to complete construction of the works and any associated facilities within a reasonable amount of time; or*~~

~~*(b) Has the financial ability to complete construction of the works of diversion and any associated facilities,*~~

~~*➥ the State Engineer shall deny the application for an extension requested pursuant to this section.]*~~ (Deleted by amendment.)

Sec. 1.5. NRS 533.380 is hereby amended to read as follows:

533.380 1. Except as otherwise provided in subsection 5, in an endorsement of approval upon any application, the State Engineer shall:

(a) Set a time before which the construction of the work must be completed, which must be within 5 years after the date of approval.

(b) Except as otherwise provided in this paragraph, set a time before which the complete application of water to a beneficial use must be made, which must not exceed 10 years after the date of the approval. The time set under this paragraph respecting an application for a permit to apply water to a municipal or quasi-municipal use on any land:

(1) For which a final subdivision map has been recorded pursuant to chapter 278 of NRS;

(2) For which a plan for the development of a project has been approved by the local government pursuant to NRS 278.010 to 278.460, inclusive; or

(3) On any land for which a plan for the development of a planned unit development has been recorded pursuant to chapter 278A of NRS,

➥ must not be less than 5 years.

2. The State Engineer may limit the applicant to a smaller quantity of water, to a shorter time for the completion of work, and, except as otherwise provided in paragraph (b) of subsection 1, to a shorter time for the perfecting of the application than named in the application.

3. Except as otherwise provided in subsection 4 and NRS 533.395 and 533.4377, the State Engineer may, for good cause shown, grant any number of extensions of ~~*[extend the]*~~ time within which construction work must be completed , or water must be applied to a beneficial use under any permit therefor issued by the State Engineer , but a single extension of time must not exceed 5 years. ~~*[in accordance with the provisions of this section and NRS 533.390 and 533.410 and section 1 of this act.]*~~ An application for the extension must in all cases be:

(a) Made within 30 days following notice by registered or certified mail that proof of the work is due as provided for in NRS 533.390 and 533.410; and

(b) Accompanied by proof and evidence of the good faith and reasonable diligence with which the applicant is pursuing the perfection of the application.

➥ The State Engineer shall not grant an extension of time unless the State Engineer determines from the proof and evidence so submitted that the applicant is proceeding in good faith and with reasonable diligence to perfect the application. The failure to provide the proof and evidence required

pursuant to this subsection is prima facie evidence that the holder is not proceeding in good faith and with reasonable diligence to perfect the application.

4. Except as otherwise provided in subsection 5 and NRS 533.395, whenever the holder of a permit issued for any municipal or quasi-municipal use of water on any land referred to in paragraph (b) of subsection 1, or for any use which may be served by a county, city, town, public water district or public water company, requests an extension of time to apply the water to a beneficial use, the State Engineer shall, in determining whether to grant or deny the extension, consider, among other factors:

(a) Whether the holder has shown good cause for not having made a complete application of the water to a beneficial use;

(b) The number of parcels and commercial or residential units which are contained in or planned for the land being developed or the area being served by the county, city, town, public water district or public water company;

(c) Any economic conditions which affect the ability of the holder to make a complete application of the water to a beneficial use;

(d) Any delays in the development of the land or the area being served by the county, city, town, public water district or public water company which were caused by unanticipated natural conditions; and

(e) The period contemplated in the:

(1) Plan for the development of a project approved by the local government pursuant to NRS 278.010 to 278.460, inclusive; or

(2) Plan for the development of a planned unit development recorded pursuant to chapter 278A of NRS,

➥ if any, for completing the development of the land.

5. The provisions of subsections 1 and 4 do not apply to an environmental permit or a temporary permit issued pursuant to NRS 533.436 or 533.504.

6. For the purposes of this section, the measure of reasonable diligence is the steady application of effort to perfect the application in a reasonably expedient and efficient manner under all the facts and circumstances. When a project or integrated system is composed of several features, work on one feature of the project or system may be considered in finding that reasonable diligence has been shown in the development of water rights for all features of the entire project or system.

7. The State Engineer shall:

(a) Adopt any regulation necessary to carry out the provisions of this section; and

(b) Provide a copy of such regulations to any person upon request.

Sec. 2. ~~[NRS 533.390 is hereby amended to read as follows:~~

~~533.390 1. Any person holding a permit from the State Engineer shall, on or before the date set for the completion of the work, file in detail a description of the work as actually constructed. This statement must be verified by the affidavit of the applicant or the applicant's agent or attorney.~~

~~2. Should any person holding a permit from the State Engineer fail to file with the State Engineer the proof of completion of work, as provided in this chapter, the State Engineer shall advise the holder of the permit, by registered or certified mail, that it is held for cancellation, and should the holder, within 30 days after the mailing of such advice, fail to file the required affidavit, the State Engineer shall cancel the permit. For good cause shown, upon application made prior to the expiration of the 30-day period, the State Engineer may, in his or her discretion, grant [an extension] *one or more extensions* of time in which to file the instruments. *If a permit has been issued for:*~~

~~*(a) A project that includes the municipal or quasi-municipal use of water, except as otherwise provided in section 1 of this act, the State Engineer may extend the deadline for the completion of work for not more than 15 years from the date set for the completion of the work. In addition to the requirements set forth in NRS 533.380, the person holding the permit must demonstrate to the State Engineer that:*~~

~~*(1) Additional time is necessary to organize the financing and construction of the work due to the size of the project; and*~~

~~*(2) The person has spent at least $50,000 on the construction of the work, including, without limitation, expenditures for the purchase of rights-of-way or property.*~~

~~*(b) A project that does not include the municipal or quasi-municipal use of water and includes the diversion of 2 or more cubic feet of water per second or the cultivation of 100 acres of land or more, the State Engineer may extend the deadline for the completion of work for not more than 10 years from the date set for the completion of the work in the permit.*~~

~~*(c) Any other purpose, the State Engineer may extend the deadline for the completion of work for not more than 5 years from the date set for the completion of the work in the permit.*~~

~~*3. The limitation of time for the completion of work set forth in a permit or an extension granted pursuant to this section may be temporarily suspended by the State Engineer if, at the time that proof of completion of work is due pursuant to the permit or an extension, as applicable, the person holding the permit submits to the State Engineer sufficient proof that the person has been unable to complete the work because of a pending:*~~

~~*(a) Application with the Federal Government, the State, a local government or a tribal government for some type of consent or approval that is necessary to complete construction of the project, including, without limitation, a right-of-way or any permit or other approval related to development of land.*~~

~~*(b) Court action or adjudication which may affect the person's water rights which are involved in the project.*~~

~~*➡ The person holding the permit is not required to submit an application or fee for an extension in order for the State Engineer to temporarily suspend the limitation of time for completion of the work pursuant to this subsection.*~~

~~*4. The State Engineer may grant any number of suspensions pursuant to subsection 3, but a single suspension of time must not exceed 2 years.*~~

~~*5. As used in this section, "tribal government" means a federally recognized American Indian tribe pursuant to 25 C.F.R. §§ 83.1 to 83.13, inclusive.]*~~ (Deleted by amendment.)

Sec. 3. ~~[NRS 533.410 is hereby amended to read as follows:~~

~~533.410 If any holder of a permit from the State Engineer fails, before the date set for filing in the permit or the date set by any extension granted by the State Engineer, to file with the State Engineer proof of application of water to beneficial use, and the accompanying map, if a map is required, the State Engineer shall advise the holder of the permit, by registered or certified mail, that the permit is held for cancellation. If the holder, within 30 days after the mailing of this notice, fails to file with the State Engineer the required affidavit and map, if a map is required, or an application for an extension of time to file the instruments, the State Engineer shall cancel the permit. For good cause shown, upon application made before the expiration of the 30-day period, the State Engineer may grant an extension of time in which to file the instruments.~~ ~~*The State Engineer may grant any number of extensions pursuant to this section but a single extension of time must not exceed 5 years.]*~~ (Deleted by amendment.)

Sec. 4. 1. The State Engineer shall conduct a survey during the 2019-2020 interim to determine the manner in which other jurisdictions within the United States manage extensions of time for the perfection of a right to appropriate water.

2. The State Engineer shall, on or before January 1, 2021, submit a report of his or her findings and conclusions to the Director of the Legislative Counsel Bureau for transmittal to the 81st Session of the Nevada Legislature.

~~[Sec. 4.]~~ *Sec. 5.* This act becomes effective upon passage and approval.

Senator Scheible moved the adoption of the amendment.

Remarks by Senator Scheible.

Amendment No. 799 to Assembly Bill No. 62 deletes the original bill and instead provides that the State Engineer shall conduct a survey during the 2019-2020 Interim to determine the manner in which other jurisdictions within the United States manage extensions of time for the perfection of a right to appropriate water; submit a report of findings and conclusions to the Director of the Legislative Counsel Bureau for transmittal to the 81st Session of the Legislature, and adopt any regulations necessary relating to the time for completion of work and the application of water to beneficial use.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 252.

Bill read second time.

The following amendment was proposed by the Committee on Health and Human Services:

Amendment No. 744.

SUMMARY—Revises provisions relating to providers of community-based living arrangement services. (BDR 39-656)

AN ACT relating to mental health; revising the scope of community-based living arrangement services; imposing certain requirements relating to the operation of a provider of community-based living arrangement services; requiring a provider of community-based living arrangement services to reimburse the Division of Public and Behavioral Health of the Department of Health and Human Services for certain overpayments to the provider; revising requirements concerning the issuance or renewal of a ~~[certificate]~~ license to provide community-based living arrangement services; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law defines the term "community-based living arrangement services" to mean flexible, individualized services that are provided in the home, for compensation, to persons with mental illness or persons with developmental disabilities and designed and coordinated to assist such persons in maximizing their independence. (NRS 433.605) Existing law requires a provider of community-based living arrangement services to be certified by the Division of Public and Behavioral Health of the Department of Health and Human Services. (NRS 433.607) Existing law defines the term "supported living arrangement services" to refer to the same type of services provided to persons with intellectual or developmental disabilities. (NRS 435.3315) Existing law requires a provider of supported living arrangement services to be certified by the Aging and Disability Services Division of the Department. (NRS 435.332) Assembly Bill No. 131, enacted during the current legislative session, makes various changes concerning community-based living arrangement services, including repealing the provisions governing community-based living arrangement services in chapter 433 of NRS and moving them instead to chapter 449 of NRS. Instead of requiring providers of such services to obtain a certificate, Assembly Bill No. 131 requires the providers to obtain a license from the Division pursuant to chapter 449 of NRS. (Chapter 51, Statutes of Nevada 2019) For that reason, sections 10-13 of this bill were added to chapter 449 of NRS. Various other changes are made in this bill to conform to the provisions of Assembly Bill No. 131. Section 7 of this bill removes the reference to persons with developmental disabilities from the definition of the term "community-based living arrangement services," thereby prohibiting the holder of a certificate to provide such services from serving persons with a primary diagnosis of developmental disability unless the holder also holds a certificate to provide supported living arrangement services. Section 7.5 of this bill authorizes the holder of a certificate to provide community-based living arrangement services to serve any person with a primary diagnosis of a mental illness, including a person who has a secondary diagnosis other than a mental illness. These sections are repealed in section 16 of Assembly Bill No. 131, effective January 1, 2020. Therefore, the

substantive provisions of section 7.5 are added to section 11 of this bill to ensure those provisions are not repealed.

Section ~~[2 of this bill]~~ 11 also requires a person employed by a provider of community-based living arrangement services for the purpose of supervising or providing support to recipients of services to be ~~[proficient in the language spoken by a majority of]~~ able to communicate with the recipients to whom he or she provides services. Section ~~[2]~~ 11 also prohibits a child under 18 years of age from residing in a ~~[home]~~ building operated by a provider in which services are provided. Section ~~[2]~~ 11 also requires a provider of community-based living arrangement services to provide each recipient of services with access to licensed professionals who are qualified to provide supportive and habilitative services. Section ~~[2]~~ 11 additionally requires a provider of community-based living arrangement services to post prominently in any ~~[home]~~ building operated by the provider in which services are provided a sign with the telephone number for making a complaint to the Division of Public and Behavioral Health.

Section ~~[3]~~ 12 of this bill requires the Division to establish an individualized plan for each recipient of community-based living arrangement services provided pursuant to a contract with the Division. Sections ~~[3]~~ 12 and ~~[10]~~ 22 of this bill require a provider of community-based living arrangement services to reimburse the Division for any overpayment pursuant to such a contract for a bill submitted to the Division on or after January 1, 2017. Section ~~[5]~~ 13 of this bill prohibits the Division from renewing the ~~[certificate]~~ license of a provider who has failed to provide such a reimbursement or make certain corrections required by the Division.

Section ~~[8]~~ 16 of this bill requires the State Board of Health to adopt regulations prescribing required training and continuing education for an operator of a provider of community-based living arrangement services and certain employees of such a provider. Section ~~[8]~~ 16 also requires an applicant for a ~~[certificate]~~ license to take certain actions to ensure that, if the applicant becomes insolvent, recipients of services from the applicant would continue to receive such services for 2 months at the expense of the applicant.

Existing law ~~[authorizes]~~ requires the Division to investigate ~~[the qualifications of personnel, methods of operation, policies and purposes of]~~ an applicant for a ~~[certificate. (NRS 433.613)]~~ license before issuing the license. (NRS 449.080) Section ~~[9]~~ 17 of this bill requires the Division , ~~[to: (1) conduct such an investigation before issuing a certificate; and (2)]~~ as part of the investigation, to inspect any ~~[home]~~ building operated by the applicant in which the applicant proposes to provide services. Sections 14, 15 and 18-21 of this bill make conforming changes.

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

Section 1. ~~[Chapter 433 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 5, inclusive, of this act.]~~ (Deleted by amendment.)

Sec. 2. ~~[*1. Each person employed by a provider of services to supervise or provide support to recipients of services must demonstrate verbal and written proficiency in the language spoken by a majority of the recipients to whom he or she is to provide services.*~~

~~*2. A child under 18 years of age must not reside in a home operated by a provider of services in which services are provided.*~~

~~*3. A provider of services shall:*~~

~~*(a) Provide each recipient of services with access to licensed professionals who are qualified to provide supportive and habilitative services that are appropriate for the recipient; and*~~

~~*(b) Post prominently in any home operated by the provider in which services are provided a sign with the telephone number that may be used to make a complaint to the Division concerning the provider.]*~~ (Deleted by amendment.)

Sec. 3. ~~[*1. The Division shall establish, for each recipient of services whose services are provided pursuant to a contract between the provider and the Division, an individualized plan for the provision of services. The individualized plan must include, without limitation:*~~

~~*(a) A description of the case management services that must be provided to the recipient and a designation of the entity responsible for providing those services; and*~~

~~*(b) The hours during which the provider of services must provide supervision and support to the recipient.*~~

~~*2. A contract between the Division and a provider of services for the provision of services must include a provision requiring the provider to comply with an individualized plan for each recipient established pursuant to subsection 1.*~~

~~*3. If the Division determines that it has paid the holder of a certificate with which the Division has entered into a contract an amount that exceeds the amount required by the contract, the holder shall reimburse the amount of the overpayment to the Division.]*~~ (Deleted by amendment.)

Sec. 4. (Deleted by amendment.)

Sec. 5. ~~[*The Division shall not renew a certificate if:*~~

~~*1. The provider of services has refused or failed to reimburse any overpayment for services as required pursuant to subsection 3 of section 3 of this act; or*~~

~~*2. The holder of the certificate has failed to correct any practice required by the Division to comply with state law or regulations or the requirements of a contract between the holder and the Division.]*~~ (Deleted by amendment.)

Sec. 6. ~~[NRS 433.601 is hereby amended to read as follows:~~

~~433.601 As used in NRS 433.601 to 433.621, inclusive, *and sections 2 to 5, inclusive, of this act,* unless the context otherwise requires, the words and terms defined in NRS 433.603 and 433.605 have the meanings ascribed to them in those sections.]~~ (Deleted by amendment.)

Sec. 7. NRS 433.605 is hereby amended to read as follows:

433.605 "Community-based living arrangement services" or "services" means flexible, individualized services, including, without limitation, training and habilitation services, that are:

1. Provided in the home, for compensation, to persons with mental illness ~~[or persons with developmental disabilities]~~ who are served by the Division or any other entity; and

2. Designed and coordinated to assist such persons in maximizing their independence.

Sec. 7.5. NRS 433.607 is hereby amended to read as follows:

433.607 1. Except as otherwise provided in subsection 2, a person, government or governmental agency shall not provide services without first obtaining a certificate from the Division.

2. A natural person who has not been issued a certificate but is employed by the holder of a certificate may provide services within the scope of his or her employment by the holder.

3. The holder of a certificate to provide community-based living arrangement services may provide such services to any person with a primary diagnosis of a mental illness, including, without limitation, such a person who has a secondary diagnosis other than a mental illness. Such a secondary diagnosis may include, without limitation, a secondary diagnosis of an intellectual disability or developmental disability.

Sec. 8. ~~[NRS 433.609 is hereby amended to read as follows:~~

~~433.609 1. The State Board of Health shall adopt regulations governing services, including, without limitation, regulations that set forth:~~

~~(a) Standards for the provision of quality care by a provider of services.~~ [;]

~~(b) Requirements for the issuance and renewal of a certificate.~~ [; and] ~~*Such regulations must:*~~

~~*(1) Except as otherwise provided in subparagraph (2), require a natural person responsible for the operation of a provider of services and each employee of a provider of services who supervises or provides support to recipients of services to complete training concerning the provision of services to persons with mental illness and continuing education concerning the particular population served by the provider;*~~

~~*(2) Exempt a person licensed or certified pursuant to title 54 of NRS from the requirements prescribed pursuant to subparagraph (1) if the Board determines that the person is required to receive training and continuing education substantially equivalent to that prescribed pursuant to that subparagraph;*~~

~~*(3) Require a natural person responsible for the operation of a provider of services to receive training concerning the provisions of title 53 of NRS applicable to the provision of services; and*~~

~~*(4) Require an applicant for a certificate to post a surety bond in an amount equal to the operating expenses of the applicant for 2 months, place that amount in escrow or take another action prescribed by the Division to*~~

~~*ensure that, if the applicant becomes insolvent, recipients of services from the applicant may continue to receive services for 2 months at the expense of the applicant.*~~

~~(c) The rights of consumers of services, in addition to those prescribed in this chapter, including, without limitation, the right of a consumer to file a complaint against a provider of services and the procedure for filing such a complaint.~~

~~2. The State Board of Health may, by regulation, prescribe a fee for:~~

~~(a) The issuance of a certificate; and~~

~~(b) The renewal of a certificate.~~

~~3. Any fee prescribed pursuant to subsection 2 must be calculated to produce the revenue estimated to cover the costs related to the issuance and renewal of certificates, but in no case may the fee for the issuance or renewal of a certificate exceed the actual cost to the Division of issuing or renewing the certificate, as applicable.]~~ (Deleted by amendment.)

Sec. 9. ~~[NRS 433.613 is hereby amended to read as follows:~~

~~433.613 *1.* The Division [may:~~

~~1. Upon receipt of an application for]~~ *shall, before issuing* ~~a certificate, conduct an investigation into the qualifications of the personnel, methods of operation, policies and purposes of the applicant . [;]~~ *Such an investigation must include, without limitation, an inspection of any home operated by the applicant in which the applicant proposes to provide services.*

~~2. *The Division may:*~~

~~*(a)* Upon receipt of a complaint against a provider of services, except for a complaint concerning the cost of services, conduct an investigation into the qualifications of the personnel, methods of operation, policies, procedures and records of the provider of services;~~

~~[3.] *(b)* Employ such professional, technical and clerical assistance as it deems necessary to carry out the provisions of NRS 433.601 to 433.621, inclusive [;]~~ *, and sections 2 to 5, inclusive, of this act;* ~~and~~

~~[4.] *(c)* Enter into such agreements with public and private agencies as it deems necessary for the provision of services.]~~ (Deleted by amendment.)

Sec. 10. Chapter 449 of NRS is hereby amended by adding thereto the provisions set forth as sections 11, 12 and 13 of this act.

Sec. 11. *1. The holder of a license to provide community-based living arrangement services may provide such services to any person with a primary diagnosis of a mental illness, including, without limitation, such a person who has a secondary diagnosis other than a mental illness. Such a secondary diagnosis may include, without limitation, a secondary diagnosis of an intellectual disability or developmental disability.*

2. Each person employed by a provider of community-based living arrangement services to supervise or provide support to recipients of such services must be able to communicate with the recipients to whom he or she is to provide services.

3. A child under 18 years of age must not reside in a building operated by a provider of community-based living arrangement services in which community-based living arrangement services are provided.

4. A provider of community-based living arrangement services shall:

(a) Provide each recipient of community-based living arrangement services with access to licensed professionals who are qualified to provide supportive and habilitative services that are appropriate for the recipient; and

(b) Post prominently in any building operated by the provider of community-based living arrangement services in which community-based living arrangement services are provided a sign with the telephone number that may be used to make a complaint to the Division concerning the provider.

Sec. 12. 1. The Division shall establish, for each recipient of community-based living arrangement services to whom services are provided pursuant to a contract between the provider and the Division, an individualized plan for the provision of community-based living arrangement services. The individualized plan must include, without limitation:

(a) A description of the case management services that must be provided to the recipient and a designation of the entity responsible for providing those services; and

(b) The hours during which the provider of community-based living arrangement services must provide supervision and support to the recipient.

2. A contract between the Division and a provider of community-based living arrangement services for the provision of such services must include a provision requiring the provider to comply with the individualized plan for each recipient established pursuant to subsection 1.

3. If the Division determines that it has paid the holder of a license to provide community-based living arrangement services with which the Division has entered into a contract an amount that exceeds the amount required by the contract, the holder shall reimburse the amount of the overpayment to the Division.

Sec. 13. The Division shall not renew a license to provide community-based living arrangement services if:

1. The holder of the license has refused or failed to reimburse any overpayment for community-based living arrangement services as required pursuant to subsection 3 of section 12 of this act; or

2. The holder of the license has failed to correct any practice required by the Division to comply with state law or regulations or the requirements of a contract between the holder and the Division.

Sec. 14. NRS 449.029 is hereby amended to read as follows:

449.029 As used in NRS 449.029 to 449.240, inclusive, *and sections 11, 12 and 13 of this act,* unless the context otherwise requires, "medical facility" has the meaning ascribed to it in NRS 449.0151 and includes a program of hospice care described in NRS 449.196.

Sec. 15. NRS 449.0301 is hereby amended to read as follows:

449.0301 The provisions of NRS 449.029 to 449.2428, inclusive, *and sections 11, 12 and 13 of this act* do not apply to:

1. Any facility conducted by and for the adherents of any church or religious denomination for the purpose of providing facilities for the care and treatment of the sick who depend solely upon spiritual means through prayer for healing in the practice of the religion of the church or denomination, except that such a facility shall comply with all regulations relative to sanitation and safety applicable to other facilities of a similar category.

2. Foster homes as defined in NRS 424.014.

3. Any medical facility, facility for the dependent or facility which is otherwise required by the regulations adopted by the Board pursuant to NRS 449.0303 to be licensed that is operated and maintained by the United States Government or an agency thereof.

Sec. 16. NRS 449.0302 is hereby amended to read as follows:

449.0302 1. The Board shall adopt:

(a) Licensing standards for each class of medical facility or facility for the dependent covered by NRS 449.029 to 449.2428, inclusive, *and sections 11, 12 and 13 of this act* and for programs of hospice care.

(b) Regulations governing the licensing of such facilities and programs.

(c) Regulations governing the procedure and standards for granting an extension of the time for which a natural person may provide certain care in his or her home without being considered a residential facility for groups pursuant to NRS 449.017. The regulations must require that such grants are effective only if made in writing.

(d) Regulations establishing a procedure for the indemnification by the Division, from the amount of any surety bond or other obligation filed or deposited by a facility for refractive surgery pursuant to NRS 449.068 or 449.069, of a patient of the facility who has sustained any damages as a result of the bankruptcy of or any breach of contract by the facility.

(e) Any other regulations as it deems necessary or convenient to carry out the provisions of NRS 449.029 to 449.2428, inclusive ~~[.]~~ *, and sections 11, 12 and 13 of this act.*

2. The Board shall adopt separate regulations governing the licensing and operation of:

(a) Facilities for the care of adults during the day; and

(b) Residential facilities for groups,

➥ which provide care to persons with Alzheimer's disease.

3. The Board shall adopt separate regulations for:

(a) The licensure of rural hospitals which take into consideration the unique problems of operating such a facility in a rural area.

(b) The licensure of facilities for refractive surgery which take into consideration the unique factors of operating such a facility.

(c) The licensure of mobile units which take into consideration the unique factors of operating a facility that is not in a fixed location.

4. The Board shall require that the practices and policies of each medical facility or facility for the dependent provide adequately for the protection of the health, safety and physical, moral and mental well-being of each person accommodated in the facility.

5. In addition to the training requirements prescribed pursuant to NRS 449.093, the Board shall establish minimum qualifications for administrators and employees of residential facilities for groups. In establishing the qualifications, the Board shall consider the related standards set by nationally recognized organizations which accredit such facilities.

6. The Board shall adopt separate regulations regarding the assistance which may be given pursuant to NRS 453.375 and 454.213 to an ultimate user of controlled substances or dangerous drugs by employees of residential facilities for groups. The regulations must require at least the following conditions before such assistance may be given:

(a) The ultimate user's physical and mental condition is stable and is following a predictable course.

(b) The amount of the medication prescribed is at a maintenance level and does not require a daily assessment.

(c) A written plan of care by a physician or registered nurse has been established that:

(1) Addresses possession and assistance in the administration of the medication; and

(2) Includes a plan, which has been prepared under the supervision of a registered nurse or licensed pharmacist, for emergency intervention if an adverse condition results.

(d) Except as otherwise authorized by the regulations adopted pursuant to NRS 449.0304, the prescribed medication is not administered by injection or intravenously.

(e) The employee has successfully completed training and examination approved by the Division regarding the authorized manner of assistance.

7. The Board shall adopt separate regulations governing the licensing and operation of residential facilities for groups which provide assisted living services. The Board shall not allow the licensing of a facility as a residential facility for groups which provides assisted living services and a residential facility for groups shall not claim that it provides "assisted living services" unless:

(a) Before authorizing a person to move into the facility, the facility makes a full written disclosure to the person regarding what services of personalized care will be available to the person and the amount that will be charged for those services throughout the resident's stay at the facility.

(b) The residents of the facility reside in their own living units which:

(1) Except as otherwise provided in subsection 8, contain toilet facilities;

(2) Contain a sleeping area or bedroom; and

(3) Are shared with another occupant only upon consent of both occupants.

(c) The facility provides personalized care to the residents of the facility and the general approach to operating the facility incorporates these core principles:

(1) The facility is designed to create a residential environment that actively supports and promotes each resident's quality of life and right to privacy;

(2) The facility is committed to offering high-quality supportive services that are developed by the facility in collaboration with the resident to meet the resident's individual needs;

(3) The facility provides a variety of creative and innovative services that emphasize the particular needs of each individual resident and the resident's personal choice of lifestyle;

(4) The operation of the facility and its interaction with its residents supports, to the maximum extent possible, each resident's need for autonomy and the right to make decisions regarding his or her own life;

(5) The operation of the facility is designed to foster a social climate that allows the resident to develop and maintain personal relationships with fellow residents and with persons in the general community;

(6) The facility is designed to minimize and is operated in a manner which minimizes the need for its residents to move out of the facility as their respective physical and mental conditions change over time; and

(7) The facility is operated in such a manner as to foster a culture that provides a high-quality environment for the residents, their families, the staff, any volunteers and the community at large.

8. The Division may grant an exception from the requirement of subparagraph (1) of paragraph (b) of subsection 7 to a facility which is licensed as a residential facility for groups on or before July 1, 2005, and which is authorized to have 10 or fewer beds and was originally constructed as a single-family dwelling if the Division finds that:

(a) Strict application of that requirement would result in economic hardship to the facility requesting the exception; and

(b) The exception, if granted, would not:

(1) Cause substantial detriment to the health or welfare of any resident of the facility;

(2) Result in more than two residents sharing a toilet facility; or

(3) Otherwise impair substantially the purpose of that requirement.

9. The Board shall, if it determines necessary, adopt regulations and requirements to ensure that each residential facility for groups and its staff are prepared to respond to an emergency, including, without limitation:

(a) The adoption of plans to respond to a natural disaster and other types of emergency situations, including, without limitation, an emergency involving fire;

(b) The adoption of plans to provide for the evacuation of a residential facility for groups in an emergency, including, without limitation, plans to ensure that nonambulatory patients may be evacuated;

(c) Educating the residents of residential facilities for groups concerning the plans adopted pursuant to paragraphs (a) and (b); and

(d) Posting the plans or a summary of the plans adopted pursuant to paragraphs (a) and (b) in a conspicuous place in each residential facility for groups.

10. The regulations governing the licensing and operation of facilities for transitional living for released offenders must provide for the licensure of at least three different types of facilities, including, without limitation:

(a) Facilities that only provide a housing and living environment;

(b) Facilities that provide or arrange for the provision of supportive services for residents of the facility to assist the residents with reintegration into the community, in addition to providing a housing and living environment; and

(c) Facilities that provide or arrange for the provision of alcohol and drug abuse programs, in addition to providing a housing and living environment and providing or arranging for the provision of other supportive services.

➥ The regulations must provide that if a facility was originally constructed as a single-family dwelling, the facility must not be authorized for more than eight beds.

11. *The Board shall adopt regulations applicable to providers of community-based living arrangement services which:*

(a) Except as otherwise provided in paragraph (b), require a natural person responsible for the operation of a provider of community-based living arrangement services and each employee of a provider of community-based living arrangement services who supervises or provides support to recipients of community-based living arrangement services to complete training concerning the provision of community-based living arrangement services to persons with mental illness and continuing education concerning the particular population served by the provider;

(b) Exempt a person licensed or certified pursuant to title 54 of NRS from the requirements prescribed pursuant to paragraph (a) if the Board determines that the person is required to receive training and continuing education substantially equivalent to that prescribed pursuant to that paragraph;

(c) Require a natural person responsible for the operation of a provider of community-based living arrangement services to receive training concerning the provisions of title 53 of NRS applicable to the provision of community-based living arrangement services; and

(d) Require an applicant for a license to provide community-based living arrangement services to post a surety bond in an amount equal to the operating expenses of the applicant for 2 months, place that amount in escrow or take another action prescribed by the Division to ensure that, if the applicant becomes insolvent, recipients of community-based living arrangement services from the applicant may continue to receive community-based living arrangement services for 2 months at the expense of the applicant.

12. As used in this section, "living unit" means an individual private accommodation designated for a resident within the facility.

Sec. 17. NRS 449.080 is hereby amended to read as follows:

449.080 1. If, after investigation, the Division finds that the:

(a) Applicant is in full compliance with the provisions of NRS 449.029 to 449.2428, inclusive ~~[,]~~ *, and sections 11, 12 and 13 of this act;*

(b) Applicant is in substantial compliance with the standards and regulations adopted by the Board;

(c) Applicant, if he or she has undertaken a project for which approval is required pursuant to NRS 439A.100, has obtained the approval of the Director of the Department of Health and Human Services; and

(d) Facility conforms to the applicable zoning regulations,

➥ the Division shall issue the license to the applicant.

2. *Any investigation of an applicant for a license to provide community based living arrangement services conducted pursuant to subsection 1 must include, without limitation, an inspection of any building operated by the applicant in which the applicant proposes to provide community-based living arrangement services.*

3. A license applies only to the person to whom it is issued, is valid only for the premises described in the license and is not transferable.

Sec. 18. NRS 449.089 is hereby amended to read as follows:

449.089 1. Each license issued pursuant to NRS 449.029 to 449.2428, inclusive, *and sections 11, 12 and 13 of this act* expires on December 31 following its issuance and is renewable for 1 year upon reapplication and payment of all fees required pursuant to NRS 449.050 unless the Division finds, after an investigation, that the facility has not:

(a) Satisfactorily complied with the provisions of NRS 449.029 to 449.2428, inclusive, *and sections 11, 12 and 13 of this act* or the standards and regulations adopted by the Board;

(b) Obtained the approval of the Director of the Department of Health and Human Services before undertaking a project, if such approval is required by NRS 439A.100; or

(c) Conformed to all applicable local zoning regulations.

2. Each reapplication for an agency to provide personal care services in the home, an agency to provide nursing in the home, a community health worker pool, a facility for intermediate care, a facility for skilled nursing, a hospital described in 42 U.S.C. § 1395ww(d)(1)(B)(iv) which accepts payment through Medicare, a psychiatric hospital that provides inpatient services to children, a psychiatric residential treatment facility, a residential facility for groups, a program of hospice care, a home for individual residential care, a facility for the care of adults during the day, a facility for hospice care, a nursing pool, a peer support recovery organization, the distinct part of a hospital which meets the requirements of a skilled nursing facility or nursing facility pursuant to 42 C.F.R. § 483.5, a hospital that provides swing-bed services as described in 42 C.F.R. § 482.58 or, if residential services are provided to children, a medical facility or facility for the treatment of abuse of alcohol or drugs must include, without limitation, a statement that the facility,

hospital, agency, program, pool, organization or home is in compliance with the provisions of NRS 449.115 to 449.125, inclusive, and 449.174.

3. Each reapplication for an agency to provide personal care services in the home, a community health worker pool, a facility for intermediate care, a facility for skilled nursing, a facility for the care of adults during the day, a peer support recovery organization, a residential facility for groups or a home for individual residential care must include, without limitation, a statement that the holder of the license to operate, and the administrator or other person in charge and employees of, the facility, agency, pool, organization or home are in compliance with the provisions of NRS 449.093.

Sec. 19. NRS 449.160 is hereby amended to read as follows:

449.160 1. The Division may deny an application for a license or may suspend or revoke any license issued under the provisions of NRS 449.029 to 449.2428, inclusive, *and sections 11, 12 and 13 of this act* upon any of the following grounds:

(a) Violation by the applicant or the licensee of any of the provisions of NRS 439B.410 or 449.029 to 449.245, inclusive, *and sections 11, 12 and 13 of this act,* or of any other law of this State or of the standards, rules and regulations adopted thereunder.

(b) Aiding, abetting or permitting the commission of any illegal act.

(c) Conduct inimical to the public health, morals, welfare and safety of the people of the State of Nevada in the maintenance and operation of the premises for which a license is issued.

(d) Conduct or practice detrimental to the health or safety of the occupants or employees of the facility.

(e) Failure of the applicant to obtain written approval from the Director of the Department of Health and Human Services as required by NRS 439A.100 or as provided in any regulation adopted pursuant to NRS 449.001 to 449.430, inclusive, *and sections 11, 12 and 13 of this act* and 449.435 to 449.531, inclusive, and chapter 449A of NRS if such approval is required.

(f) Failure to comply with the provisions of NRS 449.2486.

2. In addition to the provisions of subsection 1, the Division may revoke a license to operate a facility for the dependent if, with respect to that facility, the licensee that operates the facility, or an agent or employee of the licensee:

(a) Is convicted of violating any of the provisions of NRS 202.470;

(b) Is ordered to but fails to abate a nuisance pursuant to NRS 244.360, 244.3603 or 268.4124; or

(c) Is ordered by the appropriate governmental agency to correct a violation of a building, safety or health code or regulation but fails to correct the violation.

3. The Division shall maintain a log of any complaints that it receives relating to activities for which the Division may revoke the license to operate a facility for the dependent pursuant to subsection 2. The Division shall provide to a facility for the care of adults during the day:

(a) A summary of a complaint against the facility if the investigation of the complaint by the Division either substantiates the complaint or is inconclusive;

(b) A report of any investigation conducted with respect to the complaint; and

(c) A report of any disciplinary action taken against the facility.

➥ The facility shall make the information available to the public pursuant to NRS 449.2486.

4. On or before February 1 of each odd-numbered year, the Division shall submit to the Director of the Legislative Counsel Bureau a written report setting forth, for the previous biennium:

(a) Any complaints included in the log maintained by the Division pursuant to subsection 3; and

(b) Any disciplinary actions taken by the Division pursuant to subsection 2.

Sec. 20. NRS 449.163 is hereby amended to read as follows:

449.163 1. In addition to the payment of the amount required by NRS 449.0308, if a medical facility, facility for the dependent or facility which is required by the regulations adopted by the Board pursuant to NRS 449.0303 to be licensed violates any provision related to its licensure, including any provision of NRS 439B.410 or 449.029 to 449.2428, inclusive, *and sections 11, 12 and 13 of this act* or any condition, standard or regulation adopted by the Board, the Division, in accordance with the regulations adopted pursuant to NRS 449.165, may:

(a) Prohibit the facility from admitting any patient until it determines that the facility has corrected the violation;

(b) Limit the occupancy of the facility to the number of beds occupied when the violation occurred, until it determines that the facility has corrected the violation;

(c) If the license of the facility limits the occupancy of the facility and the facility has exceeded the approved occupancy, require the facility, at its own expense, to move patients to another facility that is licensed;

(d) Impose an administrative penalty of not more than $5,000 per day for each violation, together with interest thereon at a rate not to exceed 10 percent per annum; and

(e) Appoint temporary management to oversee the operation of the facility and to ensure the health and safety of the patients of the facility, until:

(1) It determines that the facility has corrected the violation and has management which is capable of ensuring continued compliance with the applicable statutes, conditions, standards and regulations; or

(2) Improvements are made to correct the violation.

2. If the facility fails to pay any administrative penalty imposed pursuant to paragraph (d) of subsection 1, the Division may:

(a) Suspend the license of the facility until the administrative penalty is paid; and

(b) Collect court costs, reasonable attorney's fees and other costs incurred to collect the administrative penalty.

3. The Division may require any facility that violates any provision of NRS 439B.410 or 449.029 to 449.2428, inclusive, *and sections 11, 12 and 13 of this act* or any condition, standard or regulation adopted by the Board to make any improvements necessary to correct the violation.

4. Any money collected as administrative penalties pursuant to paragraph (d) of subsection 1 must be accounted for separately and used to administer and carry out the provisions of NRS 449.001 to 449.430, inclusive, *and sections 11, 12 and 13 of this act,* 449.435 to 449.530, inclusive, and 449.760 and chapter 449A of NRS to protect the health, safety, well-being and property of the patients and residents of facilities in accordance with applicable state and federal standards or for any other purpose authorized by the Legislature.

Sec. 21. NRS 449.240 is hereby amended to read as follows:

449.240 The district attorney of the county in which the facility is located shall, upon application by the Division, institute and conduct the prosecution of any action for violation of any provisions of NRS 449.029 to 449.245, inclusive ~~[.]~~ *, and sections 11, 12 and 13 of this act.*

~~[Sec. 10.]~~ *Sec. 22.* 1. The provisions of subsection 3 of section ~~[3]~~ 12 of this act and section ~~[5]~~ 13 of this act apply retroactively to any overpayment by the Division of Public and Behavioral Health of the Department of Health and Human Services pursuant to any bill submitted to the Division by a provider of community-based living arrangement services on or after January 1, 2017.

2. As used in this section, "community-based living arrangement services" has the meaning ascribed to it in NRS 433.605, as that section existed on ~~[September 30,]~~ December 31, 2019.

~~[Sec. 11.]~~ *Sec. 23.* 1. This section and sections 7 and 7.5 of this act become effective upon passage and approval.

2. Sections ~~[1 to 6,]~~ 10 to 22, inclusive, ~~[8, 9 and 10]~~ of this act become effective on ~~[October 1, 2019.]~~ January 1, 2020.

Senator Ratti moved the adoption of the amendment.

Remarks by Senator Ratti.

Amendment No. 744 to Assembly Bill No. 252 requires each person employed by a provider of community-based living arrangement (CBLA) services to supervise or provide support to service recipients to be able to communicate with the recipients to whom he or she provides services, and it conforms various provisions of the bill to Assembly Bill No. 131, which already passed during the 80th Legislative Session. Assembly Bill No. 131 moved statutory language governing CBLA services from chapter 433 of *Nevada Revised Statutes* (NRS) to chapter 449 of NRS. Amendment No. 744 simply makes certain substantive changes regarding CBLA services in chapter 449 rather than chapter 433 of NRS.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 275.

Bill read second time.

The following amendment was proposed by the Committee on Commerce and Labor:

Amendment No. 738.

SUMMARY—Makes various changes relating to professional and occupational licensing. (BDR 54-676)

AN ACT relating to licensing; prohibiting a regulatory body from denying licensure of an applicant based on his or her immigration or citizenship status; authorizing an applicant for a professional or occupational license who does not have a social security number to provide an individual taxpayer identification number; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law allows a person to apply for various professional and occupational licenses if such person meets the requirements established in statute and by the regulatory body which grants the license. (Title 54 of NRS; Chapters 119A, 240, 289, 361, 379, 437, 449 and 450B of NRS; NRS 391.060) Under existing law, some licenses specifically require an applicant to be a citizen of the United States or otherwise authorized to work in the United States. (Chapters 622, 623A, 625, 631, 635, 636, 637, 641, 641A, 641B, 641C, 644A, 649, 656 of NRS; NRS 391.060, 437.205, 437.215, 437.220, 630.160, 630.1606, 630.1607, 630.2751, 630.2752, 630A.230, 632.161, 632.162, 632.281, 632.282, 633.311, 633.4335, 633.4336, 634.080, 637B.203, 637B.204, 638.100, 638.116, 638.122, 639.136, 639.1365, 639.2315, 639.2316, 640.145, 640.146, 640A.165, 640A.166, 648.1493) Sections 4-12, 19-31, 34-65, 67-73, 75-99, 101-110, 112, 115, 123 and 126-128 of this bill remove this requirement.

Under existing federal immigration law, an unlawful alien may request various forms of relief from removal from the United States. (Immigration and Nationality Act, 8 U.S.C. §§ 1101 et seq.) The Secretary of Homeland Security may exercise prosecutorial discretion in granting certain forms of relief, such as deferred action for removal. (6 U.S.C. § 202(5); *Regents of the Univ. of Cal. v. Dep't. of Homeland Sec.*, 908 F.3d 476, 486-490 (9th Cir. 2018)) Existing federal laws and programs allow certain unlawful aliens to receive work authorization through a policy or program of deferred action for removal. (*Regents of the Univ. of Cal. v. Dep't. of Homeland Sec.*, 908 F.3d 476, 490 (9th Cir. 2018))

Existing federal law requires a regulatory body that issues a professional or occupational license to collect the social security number of an applicant. (42 U.S.C. § 666(a)(13)) Existing federal law also allows a state to grant a professional or occupational license to an alien who is not lawfully present in the United States through enactment of state law. (8 U.S.C. § 1621(d))

Sections 2, 3, 113, ~~[114,]~~ 116, 117, 120-122, 125, 129, 132 and 138 of this bill prohibit a regulatory body from denying an application for a license, certificate or permit based solely on the applicant's immigration or citizenship status and authorize an applicant to provide his or her individual taxpayer identification number on his or her application if the applicant does not have a

social security number, which must only be used for certain purposes. Section 114 of this bill prohibits the Secretary of State from collecting the social security number or alternative personally identifying number of a notary public or an applicant for appointment as a notary public.

Sections 13-18, 32, 33, 66, 74, 100, 111, 124, 130, 131 and 133-137 of this bill make conforming changes.

WHEREAS, Federal law, in 8 U.S.C. § 1621, authorizes states to allow an alien who is not lawfully present in the United States to be eligible to receive certain state and local benefits, including, without limitation, a professional license, if the State affirmatively provides for such eligibility in statute; and

WHEREAS, Federal law, in 8 U.S.C. § 1324a, generally prohibits the employment of an unauthorized alien; and

WHEREAS, The provisions of this act are not intended to and do not conflict with any federal law relating to immigration; now, therefore,

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

Section 1. Chapter 622 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this act.

Sec. 2. *The Legislature hereby finds and declares that:*

1. It is in the best interests of this State to make full use of the skills and talents of every resident of this State.

2. It is the public policy of this State that each resident of this State, regardless of his or her immigration or citizenship status, is eligible to receive the benefit of applying for a license, certificate or permit pursuant to 8 U.S.C. § 1621(d).

Sec. 3. *1. Notwithstanding any other provision of this title, a regulatory body shall not deny the application of a person for the issuance of a license pursuant to this title based solely on his or her immigration or citizenship status.*

2. Notwithstanding the provisions of NRS 623.225, 623A.185, 624.268, 625.387, 625A.105, 628.0345, 628B.320, 630.197, 630A.246, 631.225, 632.3446, 633.307, 634.095, 634A.115, 635.056, 636.159, 637.113, 637B.166, 638.103, 639.129, 640.095, 640A.145, 640B.340, 640C.430, 640D.120, 640E.200, 641.175, 641A.215, 641B.206, 641C.280, 642.0195, 643.095, 644A.485, 645.358, 645A.025, 645B.023, 645B.420, 645C.295, 645C.655, 645D.195, 645E.210, 645G.110, 645H.550, 648.085, 649.233, 652.075, 654.145, 655.075 and 656.155, an applicant for a license who does not have a social security number must provide an alternative personally identifying number, including, without limitation, his or her individual taxpayer identification number, when completing an application for a license.

3. A regulatory body shall not disclose to any person who is not employed by the regulatory body the social security number or alternative personally identifying number, including, without limitation, an individual taxpayer identification number, of an applicant for a license for any purpose except:

(a) Tax purposes;

(b) Licensing purposes; and

(c) Enforcement of an order for the payment of child support.

4. A social security number or alternative personally identifying number, including, without limitation, an individual taxpayer identification number, provided to a regulatory body is confidential and is not a public record for the purposes of chapter 239 of NRS.

Sec. 4. NRS 622.530 is hereby amended to read as follows:

622.530 1. Except as otherwise provided by specific statute relating to the issuance of a license by endorsement, a regulatory body shall adopt regulations providing for the issuance of a license by endorsement to engage in an occupation or profession in this State to any natural person who:

(a) Holds a corresponding valid and unrestricted license to engage in that occupation or profession in the District of Columbia or any state or territory of the United States;

(b) Possesses qualifications that are substantially similar to the qualifications required for issuance of a license to engage in that occupation or profession in this State; and

(c) Satisfies the requirements of this section and the regulations adopted pursuant thereto.

2. The regulations adopted pursuant to subsection 1 must not allow the issuance of a license by endorsement to engage in an occupation or profession in this State to a natural person unless such a person:

(a) ~~[Is a citizen of the United States or otherwise has the legal right to work in the United States;~~

~~(b)]~~ Has not been disciplined by the corresponding regulatory authority of the District of Columbia or any state or territory in which the applicant currently holds or has held a license to engage in an occupation or profession;

~~[(c)]~~ *(b)* Has not been held civilly or criminally liable in the District of Columbia or any state or territory of the United States for misconduct relating to his or her occupation or profession;

~~[(d)]~~ *(c)* Has not had a license to engage in an occupation or profession suspended or revoked in the District of Columbia or any state or territory of the United States;

~~[(e)]~~ *(d)* Has not been refused a license to engage in an occupation or profession in the District of Columbia or any state or territory of the United States for any reason;

~~[(f)]~~ *(e)* Does not have pending any disciplinary action concerning his or her license to engage in an occupation or profession in the District of Columbia or any state or territory of the United States;

~~[(g)]~~ *(f)* Pays any applicable fees for the issuance of a license that are otherwise required for a natural person to obtain a license in this State;

~~[(h)]~~ *(g)* Submits to the regulatory body a complete set of his or her fingerprints and written permission authorizing the regulatory body to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report or

proof that the applicant has previously passed a comparable criminal background check; and

~~[(i)]~~ *(h)* Submits to the regulatory body the statement required by NRS 425.520.

3. A regulatory body may, by regulation, require an applicant for issuance of a license by endorsement to engage in an occupation or profession in this State to submit with his or her application:

(a) Proof satisfactory to the regulatory body that the applicant:

(1) Has achieved a passing score on a nationally recognized, nationally accredited or nationally certified examination or other examination approved by the regulatory body;

(2) Has completed the requirements of an appropriate vocational, academic or professional program of study in the occupation or profession for which the applicant is seeking a license by endorsement in this State;

(3) Has engaged in the occupation or profession for which the applicant is seeking a license by endorsement in this State pursuant to the applicant's existing licensure for the period determined by the regulatory body preceding the date of the application; and

(4) Possesses a sufficient degree of competency in the occupation or profession for which he or she is seeking licensure by endorsement in this State;

(b) An affidavit stating that the information contained in the application and any accompanying material is true and complete; and

(c) Any other information required by the regulatory body.

4. Not later than 21 business days after receiving an application for a license by endorsement to engage in an occupation or profession pursuant to this section, the regulatory body shall provide written notice to the applicant of any additional information required by the regulatory body to consider the application. Unless the regulatory body denies the application for good cause, the regulatory body shall approve the application and issue a license by endorsement to engage in the occupation or profession to the applicant not later than:

(a) Sixty days after receiving the application;

(b) If the regulatory body requires an applicant to submit fingerprints and authorize the preparation of a report on the applicant's background based on the submission of the applicant's fingerprints, 15 days after the regulatory body receives the report; or

(c) If the regulatory body requires the filing and maintenance of a bond as a requirement for the issuance of a license, 15 days after the filing of the bond with the regulatory body,

➥ whichever occurs later.

5. A license by endorsement to engage in an occupation or profession in this State issued pursuant to this section may be issued at a meeting of the regulatory body or between its meetings by the presiding member of the

regulatory body and the executive head of the regulatory body. Such an action shall be deemed to be an action of the regulatory body.

6. A regulatory body may deny an application for licensure by endorsement if:

(a) An applicant willfully fails to comply with the provisions of paragraph ~~[(h)]~~ *(g)* of subsection 2; or

(b) The report from the Federal Bureau of Investigation indicates that the applicant has been convicted of a crime that would be grounds for taking disciplinary action against the applicant as a licensee and the regulatory body has not previously taken disciplinary action against the licensee based on that conviction.

7. The provisions of this section are intended to supplement other provisions of statute governing licensure by endorsement. If any provision of statute conflicts with this section, the other provision of statute prevails over this section to the extent that the other provisions provide more specific requirements relating to licensure by endorsement.

Sec. 5. NRS 623A.170 is hereby amended to read as follows:

623A.170 1. Any person who:

(a) Is at least 21 years of age;

(b) Is of good moral character; *and*

(c) ~~[Is a citizen of the United States or is lawfully entitled to remain and work in the United States; and~~

~~(d)]~~ Has satisfied the requirements for education and experience in landscape architecture, in any combination deemed suitable by the Board,

➥ may submit an application for a certificate of registration to the Board upon a form and in a manner prescribed by the Board. The application must be accompanied by the application fee prescribed by the Board pursuant to the provisions of NRS 623A.240 and all information required to complete the application.

2. Each year of study, not exceeding 5 years of study, satisfactorily completed in a program of landscape architecture accredited by the Landscape Architectural Accrediting Board or a similar national board approved by the Board, or a program of landscape architecture in this State approved by the Board, is considered equivalent to 1 year of experience in landscape architectural work for the purpose of registration as a landscape architect.

3. The Board shall, by regulation, establish standards for examinations which may be consistent with standards employed by other states. The Board may adopt the standards of a national association of registered boards approved by the Board, and the examination and grading procedure of that organization, as they exist on the date of adoption. Examinations may include tests in such technical, professional and ethical subjects as are prescribed by the Board.

4. If the Board administers or causes to be administered an examination during:

(a) June of any year, an application to take that examination must be postmarked not later than March 1 of that year; or

(b) December of any year, an application to take that examination must be postmarked not later than September 1 of that year.

Sec. 6. NRS 623A.182 is hereby amended to read as follows:

623A.182 1. Any person who:

(a) Is at least 21 years of age;

(b) Is of good moral character; *and*

(c) ~~[Is a citizen of the United States or is lawfully entitled to remain and work in the United States; and~~

~~(d)]~~ Has graduated from a school approved by the Board or has completed at least 4 years of work experience in the practice of landscape architecture in accordance with regulations adopted by the Board,

➥ may submit an application to the Board for a certificate to practice as a landscape architect intern.

2. The application must be submitted on a form furnished by the Board and include:

(a) The applicable fees prescribed by the Board pursuant to the provisions of NRS 623A.240; and

(b) All information required to complete the application.

Sec. 7. NRS 625.183 is hereby amended to read as follows:

625.183 1. A person who ~~[:~~

~~(a) Is]~~ *is* 21 years of age or older ~~[; and~~

~~(b) Is a citizen of the United States or is lawfully entitled to remain and work in the United States,~~

~~➥]~~ may apply to the Board, in accordance with the provisions of this chapter and any regulations adopted by the Board, for licensure as a professional engineer.

2. An applicant for licensure as a professional engineer must:

(a) Be of good character and reputation; and

(b) Pass the examination on the:

(1) Fundamentals of engineering or receive a waiver of that requirement; and

(2) Principles and practices of engineering,

➥ pursuant to NRS 625.193.

3. Except as otherwise provided in NRS 625.203, an applicant for licensure as a professional engineer is not qualified for licensure unless the applicant is a graduate of an engineering curriculum of 4 years or more that is approved by the Board and has a record of 4 years or more of active experience in engineering which is satisfactory to the Board and which indicates that the applicant is competent to be placed in responsible charge of engineering work. An applicant who is eligible to take the examination on the principles and practices of engineering pursuant to subsection 2 of NRS 625.193 may take the examination on the principles and practices of engineering before the

applicant meets the active experience requirements for licensure set forth in this subsection.

4. To determine whether an applicant for licensure as a professional engineer has an adequate record of active experience pursuant to subsection 3:

(a) Graduation from a college or university in a discipline of engineering with a master's or doctoral degree is equivalent to 2 years of active experience, except that, in the aggregate, not more than 2 years of active experience may be satisfied by graduation from a college or university with such degrees, regardless of the number of degrees earned.

(b) Two of the 4 years of active experience must have been completed by working under the direct supervision of a professional engineer who is licensed in the discipline in which the applicant is applying for licensure, unless that requirement is waived by the Board.

(c) The execution, as a contractor, of work designed by a professional engineer, or the supervision of the construction of that work as a foreman or superintendent, is not equivalent to active experience in engineering.

5. A person who is not working in the field of engineering when applying for licensure is eligible for licensure as a professional engineer if the person complies with the requirements for licensure prescribed in this chapter.

Sec. 8. NRS 625.270 is hereby amended to read as follows:

625.270 1. A person who ~~[:~~

~~(a) Is]~~ *is* 21 years of age or older ~~[; and~~

~~(b) Is a citizen of the United States or is lawfully entitled to remain and work in the United States,~~

➥ ~~]~~ may apply to the Board, in accordance with the provisions of this chapter and any regulations adopted by the Board, for licensure as a professional land surveyor.

2. An applicant for licensure as a professional land surveyor must:

(a) Be of good character and reputation; and

(b) Pass the examination on the:

(1) Fundamentals of land surveying or receive a waiver of that requirement; and

(2) Principles and practices of land surveying,

➥ pursuant to NRS 625.280.

3. Except as otherwise provided in NRS 625.285, an applicant for licensure as a professional land surveyor may not take the examination on the principles and practices of land surveying, unless the applicant is a graduate of a land-surveying curriculum of 4 years or more that is approved by the Board and has a record of 4 years or more of active experience in land surveying that is satisfactory to the Board and indicates that the applicant is competent to be placed in responsible charge of land-surveying work.

4. To determine whether an applicant for licensure as a professional land surveyor has an adequate record of active experience pursuant to subsection 3:

(a) Two of the 4 years of active experience must have been completed by working under the direct supervision of a professional land surveyor, unless that requirement is waived by the Board.

(b) The execution, as a contractor, of work designed by a professional land surveyor, or the supervision of the construction of that work as a foreman or superintendent, is not equivalent to active experience in land surveying.

5. A person who is not working in the field of land surveying when applying for licensure is eligible for licensure as a professional land surveyor if the person complies with the requirements for licensure prescribed in this chapter.

Sec. 9. NRS 625.390 is hereby amended to read as follows:

625.390 1. An applicant for licensure as a professional engineer or professional land surveyor or for certification as an engineer intern or land surveyor intern must:

(a) Complete a form furnished and prescribed by the Board;

(b) Answer all questions on the form under oath;

(c) Provide a detailed summary of his or her technical training and education;

(d) Pay the fee established by the Board; and

(e) Submit all information required to complete an application for licensure or certification.

2. Unless the requirement is waived by the Board, an applicant for licensure must provide the names of not less than four references who have knowledge of the background, character and technical competence of the applicant. None of the persons named as references may be members of the Board. If the applicant is:

(a) Applying for licensure as a professional engineer, the persons named as references must be professional engineers licensed in this State or any other state, three of whom must be licensed in the same discipline of engineering for which the applicant is applying for licensure.

(b) Applying for licensure as a professional land surveyor, the persons named as references must be professional land surveyors licensed in this State or any other state.

3. The Board shall, by regulation, establish the fee for licensure as a professional engineer and professional land surveyor in an amount not to exceed $200. The fee is nonrefundable and must accompany the application.

4. The Board shall charge and collect from each applicant for certification as an engineer intern or land surveyor intern a fee fixed by the Board of not more than $100, which includes the cost of examination and the issuance of a certificate.

5. A nonresident applying for licensure as a professional engineer or professional land surveyor is subject to the same fees as a resident.

6. ~~[An applicant must furnish proof that he or she is a citizen of the United States or is lawfully entitled to remain and work in the United States.~~

~~7.~~ The Board shall require the biennial renewal of each license of a professional engineer or professional land surveyor and collect a fee for renewal of not more than $100, prescribed by regulation of the Board, except that the Board may prescribe shorter periods and prorated fees in setting up a system of staggered renewals.

~~8.~~ *7.* An applicant for the renewal of a license must submit with the fee for renewal all information required to complete the renewal.

~~9.~~ *8.* In addition to the fee for renewal, the Board shall require a holder of an expired license to pay, as a condition of renewal, a penalty in an amount established by regulation of the Board.

Sec. 10. NRS 630.160 is hereby amended to read as follows:

630.160 1. Every person desiring to practice medicine must, before beginning to practice, procure from the Board a license authorizing the person to practice.

2. Except as otherwise provided in NRS 630.1605, 630.1606, 630.1607, 630.161 and 630.258 to 630.2665, inclusive, a license may be issued to any person who:

(a) ~~Is a citizen of the United States or is lawfully entitled to remain and work in the United States;~~

~~(b)~~ Has received the degree of doctor of medicine from a medical school:

(1) Approved by the Liaison Committee on Medical Education of the American Medical Association and Association of American Medical Colleges; or

(2) Which provides a course of professional instruction equivalent to that provided in medical schools in the United States approved by the Liaison Committee on Medical Education;

~~(c)~~ *(b)* Is currently certified by a specialty board of the American Board of Medical Specialties and who agrees to maintain the certification for the duration of the licensure, or has passed:

(1) All parts of the examination given by the National Board of Medical Examiners;

(2) All parts of the Federation Licensing Examination;

(3) All parts of the United States Medical Licensing Examination;

(4) All parts of a licensing examination given by any state or territory of the United States, if the applicant is certified by a specialty board of the American Board of Medical Specialties;

(5) All parts of the examination to become a licentiate of the Medical Council of Canada; or

(6) Any combination of the examinations specified in subparagraphs (1), (2) and (3) that the Board determines to be sufficient;

~~(d)~~ *(c)* Is currently certified by a specialty board of the American Board of Medical Specialties in the specialty of emergency medicine, preventive medicine or family medicine and who agrees to maintain certification in at least one of these specialties for the duration of the licensure, or:

(1) Has completed 36 months of progressive postgraduate:

(I) Education as a resident in the United States or Canada in a program approved by the Board, the Accreditation Council for Graduate Medical Education, the Royal College of Physicians and Surgeons of Canada, the Collège des médecins du Québec or the College of Family Physicians of Canada, or, as applicable, their successor organizations; or

(II) Fellowship training in the United States or Canada approved by the Board or the Accreditation Council for Graduate Medical Education;

(2) Has completed at least 36 months of postgraduate education, not less than 24 months of which must have been completed as a resident after receiving a medical degree from a combined dental and medical degree program approved by the Board; or

(3) Is a resident who is enrolled in a progressive postgraduate training program in the United States or Canada approved by the Board, the Accreditation Council for Graduate Medical Education, the Royal College of Physicians and Surgeons of Canada, the Collège des médecins du Québec or the College of Family Physicians of Canada, or, as applicable, their successor organizations, has completed at least 24 months of the program and has committed, in writing, to the Board that he or she will complete the program; and

~~[(c)]~~ *(d)* Passes a written or oral examination, or both, as to his or her qualifications to practice medicine and provides the Board with a description of the clinical program completed demonstrating that the applicant's clinical training met the requirements of paragraph ~~[(b).]~~ *(a)*.

3. The Board may issue a license to practice medicine after the Board verifies, through any readily available source, that the applicant has complied with the provisions of subsection 2. The verification may include, but is not limited to, using the Federation Credentials Verification Service. If any information is verified by a source other than the primary source of the information, the Board may require subsequent verification of the information by the primary source of the information.

4. Notwithstanding any provision of this chapter to the contrary, if, after issuing a license to practice medicine, the Board obtains information from a primary or other source of information and that information differs from the information provided by the applicant or otherwise received by the Board, the Board may:

(a) Temporarily suspend the license;

(b) Promptly review the differing information with the Board as a whole or in a committee appointed by the Board;

(c) Declare the license void if the Board or a committee appointed by the Board determines that the information submitted by the applicant was false, fraudulent or intended to deceive the Board;

(d) Refer the applicant to the Attorney General for possible criminal prosecution pursuant to NRS 630.400; or

(e) If the Board temporarily suspends the license, allow the license to return to active status subject to any terms and conditions specified by the Board, including:

(1) Placing the licensee on probation for a specified period with specified conditions;

(2) Administering a public reprimand;

(3) Limiting the practice of the licensee;

(4) Suspending the license for a specified period or until further order of the Board;

(5) Requiring the licensee to participate in a program to correct alcohol or drug dependence or any other impairment;

(6) Requiring supervision of the practice of the licensee;

(7) Imposing an administrative fine not to exceed $5,000;

(8) Requiring the licensee to perform community service without compensation;

(9) Requiring the licensee to take a physical or mental examination or an examination testing his or her competence to practice medicine;

(10) Requiring the licensee to complete any training or educational requirements specified by the Board; and

(11) Requiring the licensee to submit a corrected application, including the payment of all appropriate fees and costs incident to submitting an application.

5. If the Board determines after reviewing the differing information to allow the license to remain in active status, the action of the Board is not a disciplinary action and must not be reported to any national database. If the Board determines after reviewing the differing information to declare the license void, its action shall be deemed a disciplinary action and shall be reportable to national databases.

Sec. 11. NRS 630.1606 is hereby amended to read as follows:

630.1606 1. Except as otherwise provided in NRS 630.161, the Board may issue a license by endorsement to practice medicine to an applicant who meets the requirements set forth in this section. An applicant may submit to the Board an application for such a license if the applicant:

(a) Holds a corresponding valid and unrestricted license to practice medicine in the District of Columbia or any state or territory of the United States; and

(b) Is certified in a specialty recognized by the American Board of Medical Specialties.

2. An applicant for a license by endorsement pursuant to this section must submit to the Board with his or her application:

(a) Proof satisfactory to the Board that the applicant:

(1) Satisfies the requirements of subsection 1;

(2) ~~[Is a citizen of the United States or otherwise has the legal right to work in the United States;~~

~~(3)~~ Has not been disciplined and is not currently under investigation by the corresponding regulatory authority of the District of Columbia or any state or territory in which the applicant currently holds or has held a license to practice medicine; and

~~(4)~~ *(3)* Has not been held civilly or criminally liable for malpractice in the District of Columbia or any state or territory of the United States;

(b) A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints in the manner provided in NRS 630.167;

(c) An affidavit stating that the information contained in the application and any accompanying material is true and correct; and

(d) Any other information required by the Board.

3. Not later than 15 business days after receiving an application for a license by endorsement to practice medicine pursuant to this section, the Board shall provide written notice to the applicant of any additional information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board shall approve the application and issue a license by endorsement to practice medicine to the applicant not later than:

(a) Forty-five days after receiving the application; or

(b) Ten days after the Board receives a report on the applicant's background based on the submission of the applicant's fingerprints,

➥ whichever occurs later.

4. A license by endorsement to practice medicine may be issued at a meeting of the Board or between its meetings by the President and Executive Director of the Board. Such an action shall be deemed to be an action of the Board.

Sec. 12. NRS 630.1607 is hereby amended to read as follows:

630.1607 1. Except as otherwise provided in NRS 630.161, the Board may issue a license by endorsement to practice medicine to an applicant who meets the requirements set forth in this section. An applicant may submit to the Board an application for such a license if the applicant:

(a) Holds a corresponding valid and unrestricted license to practice medicine in the District of Columbia or any state or territory of the United States; and

(b) Is certified in a specialty recognized by the American Board of Medical Specialties or the American Osteopathic Association.

2. An applicant for a license by endorsement pursuant to this section must submit to the Board with his or her application:

(a) Proof satisfactory to the Board that the applicant:

(1) Satisfies the requirements of subsection 1;

(2) ~~[Is a citizen of the United States or otherwise has the legal right to work in the United States;~~

~~(3)~~ Has not been disciplined and is not currently under investigation by the corresponding regulatory authority of the District of Columbia or any state or territory in which the applicant holds a license to practice medicine; and

~~[(4)]~~ *(3)* Has not been held civilly or criminally liable for malpractice in the District of Columbia or any state or territory of the United States;

(b) A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints in the manner provided in NRS 630.167;

(c) An affidavit stating that the information contained in the application and any accompanying material is true and correct; and

(d) Any other information required by the Board.

3. Not later than 15 business days after receiving an application for a license by endorsement to practice medicine pursuant to this section, the Board shall provide written notice to the applicant of any additional information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board shall approve the application and issue a license by endorsement to practice medicine to the applicant not later than:

(a) Forty-five days after receiving all the additional information required by the Board to complete the application; or

(b) Ten days after receiving a report on the applicant's background based on the submission of the applicant's fingerprints,

➥ whichever occurs later.

4. A license by endorsement to practice medicine may be issued at a meeting of the Board or between its meetings by the President and Executive Director of the Board. Such an action shall be deemed to be an action of the Board.

5. At any time before making a final decision on an application for a license by endorsement pursuant to this section, the Board may grant a provisional license authorizing an applicant to practice medicine in accordance with regulations adopted by the Board.

Sec. 13. NRS 630.171 is hereby amended to read as follows:

630.171 Except as otherwise provided in NRS 630.263, in addition to the other requirements for licensure, an applicant for a license to practice medicine shall cause to be submitted to the Board, if applicable:

1. A certificate of completion of progressive postgraduate training from the residency program where the applicant completed training; and

2. Proof of satisfactory completion of a progressive postgraduate training program specified in subparagraph (3) of paragraph ~~[(d)]~~ *(c)* of subsection 2 of NRS 630.160 within 60 days after the scheduled completion of the program.

Sec. 14. NRS 630.259 is hereby amended to read as follows:

630.259 1. A person may apply to the Board to be licensed as an administrative physician if the person meets all of the statutory requirements for licensure in effect at the time of application except the requirements of paragraph ~~[(d)]~~ *(c)* of subsection 2 of NRS 630.160.

2. A person who is licensed as an administrative physician pursuant to this section:

(a) May not engage in the practice of clinical medicine;

(b) Shall comply with all of the statutory requirements for continued licensure pursuant to this chapter; and

(c) Shall be deemed to hold a license to practice medicine in an administrative capacity only.

Sec. 15. NRS 630.2615 is hereby amended to read as follows:

630.2615 1. Except as otherwise provided in NRS 630.161, the Board may issue an authorized facility license to a person who intends to practice medicine in this State as a physician in an institution of the Department of Corrections under the direct supervision of a physician who holds an unrestricted license to practice medicine pursuant to this chapter or to practice osteopathic medicine pursuant to chapter 633 of NRS.

2. A person who applies for an authorized facility license pursuant to this section is not required to take or pass a written examination as to his or her qualifications to practice medicine pursuant to paragraph ~~[(e)]~~ *(b)* of subsection 2 of NRS 630.160, but the person must meet all other conditions and requirements for an unrestricted license to practice medicine pursuant to this chapter.

3. If the Board issues an authorized facility license pursuant to this section, the person who holds the license may practice medicine in this State only as a physician in an institution of the Department of Corrections and only under the direct supervision of a physician who holds an unrestricted license to practice medicine pursuant to this chapter or to practice osteopathic medicine pursuant to chapter 633 of NRS.

4. If a person who holds an authorized facility license issued pursuant to this section ceases to practice medicine in this State as a physician in an institution of the Department of Corrections:

(a) The Department shall notify the Board; and

(b) Upon receipt of the notification, the authorized facility license expires automatically.

5. The Board may renew or modify an authorized facility license issued pursuant to this section, unless the license has expired automatically or has been revoked.

6. The provisions of this section do not limit the authority of the Board to issue a license to an applicant in accordance with any other provision of this chapter.

Sec. 16. NRS 630.262 is hereby amended to read as follows:

630.262 1. Except as otherwise provided in NRS 630.161, the Board may issue an authorized facility license to a person who intends to practice medicine in this State as a psychiatrist in a mental health center of the Division under the direct supervision of a psychiatrist who holds an unrestricted license to practice medicine pursuant to this chapter or to practice osteopathic medicine pursuant to chapter 633 of NRS.

2. A person who applies for an authorized facility license pursuant to this section is not required to take or pass a written examination as to his or her qualifications to practice medicine pursuant to paragraph ~~[(e)]~~ *(b)* of subsection 2 of NRS 630.160, but the person must meet all other conditions

and requirements for an unrestricted license to practice medicine pursuant to this chapter.

3. If the Board issues an authorized facility license pursuant to this section, the person who holds the license may practice medicine in this State only as a psychiatrist in a mental health center of the Division and only under the direct supervision of a psychiatrist who holds an unrestricted license to practice medicine pursuant to this chapter or to practice osteopathic medicine pursuant to chapter 633 of NRS.

4. If a person who holds an authorized facility license issued pursuant to this section ceases to practice medicine in this State as a psychiatrist in a mental health center of the Division:

(a) The Division shall notify the Board; and

(b) Upon receipt of the notification, the authorized facility license expires automatically.

5. The Board may renew or modify an authorized facility license issued pursuant to this section, unless the license has expired automatically or has been revoked.

6. The provisions of this section do not limit the authority of the Board to issue a license to an applicant in accordance with any other provision of this chapter.

7. As used in this section:

(a) "Division" means the Division of Public and Behavioral Health of the Department of Health and Human Services.

(b) "Mental health center" has the meaning ascribed to it in NRS 433.144.

Sec. 17. NRS 630.263 is hereby amended to read as follows:

630.263 1. If the Governor determines that there are critically unmet needs with regard to the number of physicians who are practicing a medical specialty within this State, the Governor may declare that a state of critical medical need exists for that medical specialty. The Governor may, but is not required to, limit such a declaration to one or more geographic areas within this State.

2. In determining whether there are critically unmet needs with regard to the number of physicians who are practicing a medical specialty, the Governor may consider, without limitation:

(a) Any statistical data analyzing the number of physicians who are practicing the medical specialty in relation to the total population of this State or any geographic area within this State;

(b) The demand within this State or any geographic area within this State for the types of services provided by the medical specialty; and

(c) Any other factors relating to the medical specialty that may adversely affect the delivery of health care within this State or any geographic area within this State.

3. If the Governor makes a declaration pursuant to this section, the Board may waive the requirements of paragraph ~~[(d)]~~ *(c)* of subsection 2 of NRS 630.160 for an applicant if the applicant:

(a) Intends to practice medicine in one or more of the medical specialties designated by the Governor in the declaration and, if the Governor has limited the declaration to one or more geographic areas within this State, in one or more of those geographic areas;

(b) Has completed at least 1 year of training as a resident in the United States or Canada in a program approved by the Board, the Accreditation Council for Graduate Medical Education, the Royal College of Physicians and Surgeons of Canada, the Collège des médecins du Québec or the College of Family Physicians of Canada, or their successor organizations, respectively;

(c) Has a minimum of 5 years of practical medical experience as a licensed allopathic physician or such other equivalent training as the Board deems appropriate; and

(d) Meets all other conditions and requirements for a license to practice medicine.

4. Any license issued pursuant to this section is a restricted license, and the person who holds the restricted license may practice medicine in this State only in the medical specialties and geographic areas for which the restricted license is issued.

5. Any person who holds a restricted license issued pursuant to this section and who completes 3 years of full-time practice under the restricted license may apply to the Board for an unrestricted license. In considering an application for an unrestricted license pursuant to this subsection, the Board shall require the applicant to meet all statutory requirements for licensure in effect at the time of application except the requirements of paragraph ~~[(d)]~~ *(c)* of subsection 2 of NRS 630.160.

Sec. 18. NRS 630.264 is hereby amended to read as follows:

630.264 1. A board of county commissioners may petition the Board of Medical Examiners to waive the requirements of paragraph ~~[(d)]~~ *(c)* of subsection 2 of NRS 630.160 for any applicant intending to practice medicine in a medically underserved area of that county as that term is defined by regulation by the Board of Medical Examiners. The Board of Medical Examiners may waive that requirement and issue a license if the applicant:

(a) Has completed at least 1 year of training as a resident in the United States or Canada in a program approved by the Board, the Accreditation Council for Graduate Medical Education, the Royal College of Physicians and Surgeons of Canada, the Collège des médecins du Québec or the College of Family Physicians of Canada, or their successor organizations, respectively;

(b) Has a minimum of 5 years of practical medical experience as a licensed allopathic physician or such other equivalent training as the Board deems appropriate; and

(c) Meets all other conditions and requirements for a license to practice medicine.

2. Any person licensed pursuant to subsection 1 must be issued a license to practice medicine in this State restricted to practice in the medically underserved area of the county which petitioned for the waiver only. A person

may apply to the Board of Medical Examiners for renewal of that restricted license every 2 years after being licensed.

3. Any person holding a restricted license pursuant to subsection 1 who completes 3 years of full-time practice under the restricted license may apply to the Board for an unrestricted license. In considering an application for an unrestricted license pursuant to this subsection, the Board shall require the applicant to meet all statutory requirements for licensure in effect at the time of application except the requirements of paragraph ~~[(d)]~~ *(c)* of subsection 2 of NRS 630.160.

Sec. 19. NRS 630.265 is hereby amended to read as follows:

630.265 1. Unless the Board denies such licensure pursuant to NRS 630.161 or for other good cause, the Board shall issue to a qualified applicant a limited license to practice medicine as a resident physician in a graduate program approved by the Accreditation Council for Graduate Medical Education if the applicant is:

(a) A graduate of an accredited medical school in the United States or Canada; or

(b) A graduate of a foreign medical school and has received the standard certificate of the Educational Commission for Foreign Medical Graduates or a written statement from that Commission that the applicant passed the examination given by it.

2. The medical school or other institution sponsoring the program shall provide the Board with written confirmation that the applicant has been appointed to a position in the program . ~~[and is a citizen of the United States or lawfully entitled to remain and work in the United States.]~~ A limited license remains valid only while the licensee is actively practicing medicine in the residency program and is legally entitled to work and remain in the United States.

3. The Board may issue a limited license for not more than 1 year but may renew the license if the applicant for the limited license meets the requirements set forth by the Board by regulation.

4. The holder of a limited license may practice medicine only in connection with his or her duties as a resident physician or under such conditions as are approved by the director of the program.

5. The holder of a limited license granted pursuant to this section may be disciplined by the Board at any time for any of the grounds provided in NRS 630.161 or 630.301 to 630.3065, inclusive.

Sec. 20. NRS 630.2751 is hereby amended to read as follows:

630.2751 1. The Board may issue a license by endorsement to practice as a physician assistant to an applicant who meets the requirements set forth in this section. An applicant may submit to the Board an application for such a license if the applicant:

(a) Holds a corresponding valid and unrestricted license to practice as a physician assistant in the District of Columbia or any state or territory of the United States; and

(b) Is certified in a specialty recognized by the American Board of Medical Specialties.

2. An applicant for a license by endorsement pursuant to this section must submit to the Board with his or her application:

(a) Proof satisfactory to the Board that the applicant:

(1) Satisfies the requirements of subsection 1;

(2) ~~[Is a citizen of the United States or otherwise has the legal right to work in the United States;~~

~~(3)]~~ Has not been disciplined or investigated by the corresponding regulatory authority of the District of Columbia or any state or territory in which the applicant currently holds or has held a license to practice as a physician assistant; and

~~[(4)]~~ *(3)* Has not been held civilly or criminally liable for malpractice in the District of Columbia or any state or territory of the United States;

(b) A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints in the manner provided in NRS 630.167;

(c) An affidavit stating that the information contained in the application and any accompanying material is true and correct; and

(d) Any other information required by the Board.

3. Not later than 15 business days after receiving an application for a license by endorsement to practice as a physician assistant pursuant to this section, the Board shall provide written notice to the applicant of any additional information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board shall approve the application and issue a license by endorsement to practice as a physician assistant to the applicant not later than:

(a) Forty-five days after receiving the application; or

(b) Ten days after the Board receives a report on the applicant's background based on the submission of the applicant's fingerprints,

➥ whichever occurs later.

4. A license by endorsement to practice as a physician assistant may be issued at a meeting of the Board or between its meetings by the President and Executive Director of the Board. Such an action shall be deemed to be an action of the Board.

Sec. 21. NRS 630.2752 is hereby amended to read as follows:

630.2752 1. The Board may issue a license by endorsement to practice as a physician assistant to an applicant who meets the requirements set forth in this section. An applicant may submit to the Board an application for such a license if the applicant:

(a) Holds a corresponding valid and unrestricted license to practice as a physician assistant in the District of Columbia or any state or territory of the United States;

(b) Is certified in a specialty recognized by the American Board of Medical Specialties; and

(c) Is an active member of, or the spouse of an active member of, the Armed Forces of the United States, a veteran or the surviving spouse of a veteran.

2. An applicant for a license by endorsement pursuant to this section must submit to the Board with his or her application:

(a) Proof satisfactory to the Board that the applicant:

(1) Satisfies the requirements of subsection 1;

(2) ~~[Is a citizen of the United States or otherwise has the legal right to work in the United States;~~

~~(3)]~~ Has not been disciplined or investigated by the corresponding regulatory authority of the District of Columbia or the state or territory in which the applicant holds a license to practice as a physician assistant; and

~~[(4)]~~ *(3)* Has not been held civilly or criminally liable for malpractice in the District of Columbia or any state or territory of the United States;

(b) A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints in the manner provided in NRS 630.167;

(c) An affidavit stating that the information contained in the application and any accompanying material is true and correct; and

(d) Any other information required by the Board.

3. Not later than 15 business days after receiving an application for a license by endorsement to practice as a physician assistant pursuant to this section, the Board shall provide written notice to the applicant of any additional information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board shall approve the application and issue a license by endorsement to practice as a physician assistant to the applicant not later than:

(a) Forty-five days after receiving all the additional information required by the Board to complete the application; or

(b) Ten days after the Board receives a report on the applicant's background based on the submission of the applicant's fingerprints,

➥ whichever occurs later.

4. A license by endorsement to practice as a physician assistant may be issued at a meeting of the Board or between its meetings by the President and Executive Director of the Board. Such an action shall be deemed to be an action of the Board.

5. At any time before making a final decision on an application for a license by endorsement pursuant to this section, the Board may grant a provisional license authorizing an applicant to practice as a physician assistant in accordance with regulations adopted by the Board.

6. As used in this section, "veteran" has the meaning ascribed to it in NRS 417.005.

Sec. 22. NRS 630A.230 is hereby amended to read as follows:

630A.230 1. Every person desiring to practice homeopathic medicine as a homeopathic physician must, before beginning to practice, procure from the Board a license authorizing such practice.

2. Except as otherwise provided in NRS 630A.225, a license may be issued to any person who:

(a) ~~[Is a citizen of the United States or is lawfully entitled to remain and work in the United States;~~

~~— (b)]~~ Is of good moral character;

~~[(c)]~~ *(b)* Has received the degree of doctor of medicine or doctor of osteopathic medicine, or its equivalent as provided in paragraph (a) of subsection 1 of NRS 630A.240;

~~[(d)]~~ *(c)* Is licensed in good standing to practice allopathic or osteopathic medicine in any state or country, the District of Columbia or a territory or possession of the United States;

~~[(e)]~~ *(d)* Has completed a program of not less than 3 years of postgraduate training in allopathic or osteopathic medicine approved by the Board;

~~[(f)]~~ *(e)* Has passed all oral or written examinations required by the Board or this chapter; and

~~[(g)]~~ *(f)* Meets any additional requirements established by the Board, including, without limitation, requirements established by regulations adopted by the Board.

Sec. 23. NRS 630A.270 is hereby amended to read as follows:

630A.270 1. An applicant for a license to practice homeopathic medicine who is a graduate of a foreign medical school shall submit to the Board through its Secretary-Treasurer proof that the applicant:

(a) ~~[Is a citizen of the United States, or that he or she is lawfully entitled to remain and work in the United States;~~

~~— (b)]~~ Has received the degree of doctor of medicine or its equivalent, as determined by the Board, from a foreign medical school recognized by the Educational Commission for Foreign Medical Graduates;

~~[(c)]~~ *(b)* Has completed 3 years of postgraduate training satisfactory to the Board;

~~[(d)]~~ *(c)* Has completed an additional 6 months of postgraduate training in homeopathic medicine;

~~[(e)]~~ *(d)* Has received the standard certificate of the Educational Commission for Foreign Medical Graduates; and

~~[(f)]~~ *(e)* Has passed all parts of the Federation Licensing Examination, or has received a written statement from the Educational Commission for Foreign Medical Graduates that the applicant has passed the examination given by the Commission.

2. In addition to the proofs required by subsection 1, the Board may take such further evidence and require such further proof of the professional and moral qualifications of the applicant as in its discretion may be deemed proper.

3. If the applicant is a diplomate of an approved specialty board recognized by this Board, the requirements of paragraphs ~~[(c)]~~ *(b)* and ~~[(d)]~~ *(c)* of subsection 1 may be waived by the Board.

4. Before issuance of a license to practice homeopathic medicine, the applicant who presents the proof required by subsection 1 shall appear

personally before the Board and satisfactorily pass a written or oral examination, or both, as to his or her qualifications to practice homeopathic medicine.

Sec. 24. NRS 630A.320 is hereby amended to read as follows:

630A.320 1. Except as otherwise provided in NRS 630A.225, the Board may issue to a qualified applicant a limited license to practice homeopathic medicine as a resident homeopathic physician in a postgraduate program of clinical training if:

(a) The applicant is a graduate of an accredited medical school in the United States or Canada or is a graduate of a foreign medical school recognized by the Educational Commission for Foreign Medical Graduates and ~~[:~~

~~(1) Is a citizen of the United States or is lawfully entitled to remain and work in the United States; and~~

~~(2) Has]~~ *has* completed 1 year of supervised clinical training approved by the Board.

(b) The Board approves the program of clinical training, and the medical school or other institution sponsoring the program provides the Board with written confirmation that the applicant has been appointed to a position in the program.

2. In addition to the requirements of subsection 1, an applicant who is a graduate of a foreign medical school must have received the standard certificate of the Educational Commission for Foreign Medical Graduates.

3. The Board may issue this limited license for not more than 1 year, but may renew the license.

4. The holder of this limited license may practice homeopathic medicine only in connection with his or her duties as a resident physician and shall not engage in the private practice of homeopathic medicine.

5. A limited license granted under this section may be revoked by the Board at any time for any of the grounds set forth in NRS 630A.225 or 630A.340 to 630A.380, inclusive.

Sec. 24.5. NRS 631.230 is hereby amended to read as follows:

631.230 1. Any person is eligible to apply for a license to practice dentistry in the State of Nevada who:

(a) Is over the age of 21 years;

(b) ~~[Is a citizen of the United States, or is lawfully entitled to remain and work in the United States;~~

~~(c)]~~ Is a graduate of an accredited dental school or college; and

~~[(d)]~~ *(c)* Is of good moral character.

2. To determine whether a person has good moral character, the Board may consider whether his or her license to practice dentistry in another state has been suspended or revoked or whether the person is currently involved in any disciplinary action concerning his or her license in that state.

Sec. 25. NRS 631.271 is hereby amended to read as follows:

631.271 1. The Board shall, without a clinical examination required by NRS 631.240 or 631.300, issue a limited license to practice dentistry or dental hygiene to a person who:

(a) Is qualified for a license to practice dentistry or dental hygiene in this State;

(b) Pays the required application fee;

(c) Has entered into a contract with:

(1) The Nevada System of Higher Education to provide services as a dental intern, dental resident or instructor of dentistry or dental hygiene at an educational or outpatient clinic, hospital or other facility of the Nevada System of Higher Education; or

(2) An accredited program of dentistry or dental hygiene of an institution which is accredited by a regional educational accrediting organization that is recognized by the United States Department of Education to provide services as a dental intern, dental resident or instructor of dentistry or dental hygiene at an educational or outpatient clinic, hospital or other facility of the institution and accredited by the Commission on Dental Accreditation of the American Dental Association or its successor specialty accrediting organization;

(d) Satisfies the requirements of NRS 631.230 or 631.290, as appropriate; and

(e) Satisfies at least one of the following requirements:

(1) Has a license to practice dentistry or dental hygiene issued pursuant to the laws of another state or territory of the United States, or the District of Columbia;

(2) Presents to the Board a certificate granted by the Western Regional Examining Board which contains a notation that the person has passed, within the 5 years immediately preceding the date of the application, a clinical examination administered by the Western Regional Examining Board;

(3) Successfully passes a clinical examination approved by the Board and the American Board of Dental Examiners; or

(4) Has the educational or outpatient clinic, hospital or other facility where the person will provide services as a dental intern or dental resident in an internship or residency program submit to the Board written confirmation that the person has been appointed to a position in the program . ~~[and is a citizen of the United States or is lawfully entitled to remain and work in the United States.]~~ If a person qualifies for a limited license pursuant to this subparagraph, the limited license remains valid only while the person is actively providing services as a dental intern or dental resident in the internship or residency program ~~[, is lawfully entitled to remain and work in the United States]~~ and is in compliance with all other requirements for the limited license.

2. The Board shall not issue a limited license to a person:

(a) Who has been issued a license to practice dentistry or dental hygiene if:

(1) The person is involved in a disciplinary action concerning the license; or

(2) The license has been revoked or suspended; or

(b) Who has been refused a license to practice dentistry or dental hygiene, ➥ in this State, another state or territory of the United States, or the District of Columbia.

3. Except as otherwise provided in subsection 4, a person to whom a limited license is issued pursuant to subsection 1:

(a) May practice dentistry or dental hygiene in this State only:

(1) At the educational or outpatient clinic, hospital or other facility where the person is employed; and

(2) In accordance with the contract required by paragraph (c) of subsection 1.

(b) Shall not, for the duration of the limited license, engage in the private practice of dentistry or dental hygiene in this State or accept compensation for the practice of dentistry or dental hygiene except such compensation as may be paid to the person by the Nevada System of Higher Education or an accredited program of dentistry or dental hygiene for services provided as a dental intern, dental resident or instructor of dentistry or dental hygiene pursuant to paragraph (c) of subsection 1.

4. The Board may issue a permit authorizing a person who holds a limited license to engage in the practice of dentistry or dental hygiene in this State and to accept compensation for such practice as may be paid to the person by entities other than the Nevada System of Higher Education or an accredited program of dentistry or dental hygiene with whom the person is under contract pursuant to paragraph (c) of subsection 1. The Board shall, by regulation, prescribe the standards, conditions and other requirements for the issuance of a permit.

5. A limited license expires 1 year after its date of issuance and may be renewed on or before the date of its expiration, unless the holder no longer satisfies the requirements for the limited license. The holder of a limited license may, upon compliance with the applicable requirements set forth in NRS 631.330 and the completion of a review conducted at the discretion of the Board, be granted a renewal certificate that authorizes the continuation of practice pursuant to the limited license for 1 year.

6. A permit issued pursuant to subsection 4 expires on the date that the holder's limited license expires and may be renewed when the limited license is renewed, unless the holder no longer satisfies the requirements for the permit.

7. Within 7 days after the termination of a contract required by paragraph (c) of subsection 1, the holder of a limited license shall notify the Board of the termination, in writing, and surrender the limited license and a permit issued pursuant to this section, if any, to the Board.

8. The Board may revoke a limited license and a permit issued pursuant to this section, if any, at any time if the Board finds, by a preponderance of the evidence, that the holder of the license violated any provision of this chapter or the regulations of the Board.

Sec. 26. NRS 631.290 is hereby amended to read as follows:

631.290 1. Any person is eligible to apply for a license to practice dental hygiene in this State who:

(a) Is of good moral character;

(b) Is over 18 years of age; *and*

(c) ~~[Is a citizen of the United States or is lawfully entitled to remain and work in the United States; and~~

~~(d)]~~ Is a graduate of a program of dental hygiene from an institution which is accredited by a regional educational accrediting organization that is recognized by the United States Department of Education. The program of dental hygiene must:

(1) Be accredited by the Commission on Dental Accreditation of the American Dental Association or its successor specialty accrediting organization; and

(2) Include a curriculum of not less than 2 years of academic instruction in dental hygiene or its academic equivalent.

2. To determine whether a person has good moral character, the Board may consider whether his or her license to practice dental hygiene in another state has been suspended or revoked or whether he or she is currently involved in any disciplinary action concerning his or her license in that state.

Sec. 27. NRS 632.161 is hereby amended to read as follows:

632.161 1. Except as otherwise provided in NRS 632.3405, the Board may issue a license by endorsement to practice as a professional nurse to an applicant who meets the requirements set forth in this section. An applicant may submit to the Board an application for such a license if the applicant holds a corresponding valid and unrestricted license to practice as a professional nurse in the District of Columbia or any state or territory of the United States.

2. An applicant for a license by endorsement pursuant to this section must submit to the Board with his or her application:

(a) Proof satisfactory to the Board that the applicant:

(1) Satisfies the requirements of subsection 1;

(2) ~~[Is a citizen of the United States or otherwise has the legal right to work in the United States;~~

~~(3)]~~ Has not been disciplined or investigated by the corresponding regulatory authority of the District of Columbia or any state or territory in which the applicant currently holds or has held a license to practice as a professional nurse; and

~~[(4)]~~ *(3)* Has not been held civilly or criminally liable for malpractice in the District of Columbia or any state or territory of the United States;

(b) A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints in the manner provided in NRS 632.344;

(c) An affidavit stating that the information contained in the application and any accompanying material is true and correct; and

(d) Any other information required by the Board.

3. Not later than 15 business days after receiving an application for a license by endorsement to practice as a professional nurse pursuant to this section, the Board shall provide written notice to the applicant of any additional information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board shall approve the application and issue a license by endorsement to practice as a professional nurse to the applicant not later than:

(a) Forty-five days after receiving the application; or

(b) Ten days after the Board receives a report on the applicant's background based on the submission of the applicant's fingerprints,

➥ whichever occurs later.

4. A license by endorsement to practice as a professional nurse may be issued at a meeting of the Board or between its meetings by the President and Executive Director of the Board. Such an action shall be deemed to be an action of the Board.

Sec. 28. NRS 632.162 is hereby amended to read as follows:

632.162 1. Except as otherwise provided in NRS 632.3405, the Board may issue a license by endorsement to practice as a professional nurse to an applicant who meets the requirements set forth in this section. An applicant may submit to the Board an application for such a license if the applicant:

(a) Holds a corresponding valid and unrestricted license to practice as a professional nurse in the District of Columbia or any state or territory of the United States; and

(b) Is an active member of, or the spouse of an active member of, the Armed Forces of the United States, a veteran or the surviving spouse of a veteran.

2. An applicant for a license by endorsement pursuant to this section must submit to the Board with his or her application:

(a) Proof satisfactory to the Board that the applicant:

(1) Satisfies the requirements of subsection 1;

(2) ~~[Is a citizen of the United States or otherwise has the legal right to work in the United States;~~

~~(3)]~~ Has not been disciplined or investigated by the corresponding regulatory authority of the District of Columbia or the state or territory in which the applicant holds a license to practice as a professional nurse; and

~~[(4)]~~ *(3)* Has not been held civilly or criminally liable for malpractice in the District of Columbia or any state or territory of the United States;

(b) A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints in the manner provided in NRS 632.344;

(c) An affidavit stating that the information contained in the application and any accompanying material is true and correct; and

(d) Any other information required by the Board.

3. Not later than 15 business days after receiving an application for a license by endorsement to practice as a professional nurse pursuant to this section, the Board shall provide written notice to the applicant of any additional information required by the Board to consider the application.

Unless the Board denies the application for good cause, the Board shall approve the application and issue a license by endorsement to practice as a professional nurse to the applicant not later than:

(a) Forty-five days after receiving all the additional information required by the Board to complete the application; or

(b) Ten days after the Board receives a report on the applicant's background based on the submission of the applicant's fingerprints,

➥ whichever occurs later.

4. A license by endorsement to practice as a professional nurse may be issued at a meeting of the Board or between its meetings by the President and Executive Director of the Board. Such an action shall be deemed to be an action of the Board.

5. At any time before making a final decision on an application for a license by endorsement pursuant to this section, the Board may grant a provisional license authorizing an applicant to practice as a professional nurse in accordance with regulations adopted by the Board.

6. As used in this section, "veteran" has the meaning ascribed to it in NRS 417.005.

Sec. 29. NRS 632.281 is hereby amended to read as follows:

632.281 1. Except as otherwise provided in NRS 632.3405, the Board may issue a license by endorsement to practice as a practical nurse to an applicant who meets the requirements set forth in this section. An applicant may submit to the Board an application for such a license if the applicant holds a corresponding valid and unrestricted license to practice as a practical nurse in the District of Columbia or any state or territory of the United States.

2. An applicant for a license by endorsement pursuant to this section must submit to the Board with his or her application:

(a) Proof satisfactory to the Board that the applicant:

(1) Satisfies the requirements of subsection 1;

(2) ~~[Is a citizen of the United States or otherwise has the legal right to work in the United States;~~

~~(3)]~~ Has not been disciplined or investigated by the corresponding regulatory authority of the District of Columbia or any state or territory in which the applicant currently holds or has held a license to practice as a practical nurse; and

~~[(4)]~~ *(3)* Has not been held civilly or criminally liable for malpractice in the District of Columbia or any state or territory of the United States;

(b) A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints in the manner provided in NRS 632.344;

(c) An affidavit stating that the information contained in the application and any accompanying material is true and correct; and

(d) Any other information required by the Board.

3. Not later than 15 business days after receiving an application for a license by endorsement to practice as a practical nurse pursuant to this section, the Board shall provide written notice to the applicant of any additional

information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board shall approve the application and issue a license by endorsement to practice as a practical nurse to the applicant not later than:

(a) Forty-five days after receiving the application; or

(b) Ten days after the Board receives a report on the applicant's background based on the submission of the applicant's fingerprints,

➥ whichever occurs later.

4. A license by endorsement to practice as a practical nurse may be issued at a meeting of the Board or between its meetings by the President and Executive Director of the Board. Such an action shall be deemed to be an action of the Board.

Sec. 30. NRS 632.282 is hereby amended to read as follows:

632.282 1. Except as otherwise provided in NRS 632.3405, the Board may issue a license by endorsement to practice as a practical nurse to an applicant who meets the requirements set forth in this section. An applicant may submit to the Board an application for such a license if the applicant:

(a) Holds a corresponding valid and unrestricted license to practice as a practical nurse in the District of Columbia or any state or territory of the United States; and

(b) Is an active member of, or the spouse of an active member of, the Armed Forces of the United States, a veteran or the surviving spouse of a veteran.

2. An applicant for a license by endorsement pursuant to this section must submit to the Board with his or her application:

(a) Proof satisfactory to the Board that the applicant:

(1) Satisfies the requirements of subsection 1;

(2) ~~[Is a citizen of the United States or otherwise has the legal right to work in the United States;~~

~~(3)]~~ Has not been disciplined or investigated by the corresponding regulatory authority of the District of Columbia or the state or territory in which the applicant holds a license to practice as a practical nurse; and

~~[(4)]~~ *(3)* Has not been held civilly or criminally liable for malpractice in the District of Columbia or any state or territory of the United States;

(b) A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints in the manner provided in NRS 632.344;

(c) An affidavit stating that the information contained in the application and any accompanying material is true and correct; and

(d) Any other information required by the Board.

3. Not later than 15 business days after receiving an application for a license by endorsement to practice as a practical nurse pursuant to this section, the Board shall provide written notice to the applicant of any additional information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board shall approve the application and issue a license by endorsement to practice as a practical nurse to the applicant not later than:

(a) Forty-five days after receiving all the additional information required by the Board to complete the application; or

(b) Ten days after the Board receives a report on the applicant's background based on the submission of the applicant's fingerprints,

➥ whichever occurs later.

4. A license by endorsement to practice as a practical nurse may be issued at a meeting of the Board or between its meetings by the President and Executive Director of the Board. Such an action shall be deemed to be an action of the Board.

5. At any time before making a final decision on an application for a license by endorsement pursuant to this section, the Board may grant a provisional license authorizing an applicant to practice as a practical nurse in accordance with regulations adopted by the Board.

6. As used in this section, "veteran" has the meaning ascribed to it in NRS 417.005.

Sec. 31. NRS 633.311 is hereby amended to read as follows:

633.311 1. Except as otherwise provided in NRS 633.315 and 633.381 to 633.419, inclusive, an applicant for a license to practice osteopathic medicine may be issued a license by the Board if:

(a) The applicant is 21 years of age or older;

(b) ~~[The applicant is a citizen of the United States or is lawfully entitled to remain and work in the United States;~~

~~(c)]~~ The applicant is a graduate of a school of osteopathic medicine;

~~[(d)]~~ *(c)* The applicant:

(1) Has graduated from a school of osteopathic medicine before 1995 and has completed:

(I) A hospital internship; or

(II) One year of postgraduate training that complies with the standards of intern training established by the American Osteopathic Association;

(2) Has completed 3 years, or such other length of time as required by a specific program, of postgraduate medical education as a resident in the United States or Canada in a program approved by the Board, the Bureau of Professional Education of the American Osteopathic Association or the Accreditation Council for Graduate Medical Education; or

(3) Is a resident who is enrolled in a postgraduate training program in this State, has completed 24 months of the program and has committed, in writing, that he or she will complete the program;

~~[(e)]~~ *(d)* The applicant applies for the license as provided by law;

~~[(f)]~~ *(e)* The applicant passes:

(1) All parts of the licensing examination of the National Board of Osteopathic Medical Examiners;

(2) All parts of the licensing examination of the Federation of State Medical Boards;

(3) All parts of the licensing examination of the Board, a state, territory or possession of the United States, or the District of Columbia, and is certified

by a specialty board of the American Osteopathic Association or by the American Board of Medical Specialties; or

(4) A combination of the parts of the licensing examinations specified in subparagraphs (1), (2) and (3) that is approved by the Board;

~~[(g)]~~ *(f)* The applicant pays the fees provided for in this chapter; and

~~[(h)]~~ *(g)* The applicant submits all information required to complete an application for a license.

2. An applicant for a license to practice osteopathic medicine may satisfy the requirements for postgraduate education or training prescribed by paragraph ~~[(d)]~~ *(c)* of subsection 1:

(a) In one or more approved postgraduate programs, which may be conducted at one or more facilities in this State or, except for a resident who is enrolled in a postgraduate training program in this State pursuant to subparagraph (3) of paragraph ~~[(d)]~~ *(c)* of subsection 1, in the District of Columbia or another state or territory of the United States;

(b) In one or more approved specialties or disciplines;

(c) In nonconsecutive months; and

(d) At any time before receiving his or her license.

Sec. 32. NRS 633.322 is hereby amended to read as follows:

633.322 In addition to the other requirements for licensure to practice osteopathic medicine, an applicant shall cause to be submitted to the Board:

1. A certificate of completion of progressive postgraduate training from the residency program where the applicant received training; and

2. If applicable, proof of satisfactory completion of a postgraduate training program specified in subparagraph (3) of paragraph ~~[(d)]~~ *(c)* of subsection 1 of NRS 633.311 within 120 days after the scheduled completion of the program.

Sec. 33. NRS 633.401 is hereby amended to read as follows:

633.401 1. Unless the Board denies such licensure pursuant to NRS 633.315 or for other good cause, the Board shall issue a special license to practice osteopathic medicine:

(a) To authorize a person who is licensed to practice osteopathic medicine in an adjoining state to come into Nevada to care for or assist in the treatment of his or her patients in association with an osteopathic physician in this State who has primary care of the patients.

(b) To a resident while the resident is enrolled in a postgraduate training program required pursuant to the provisions of subparagraph (3) of paragraph ~~[(d)]~~ *(c)* of subsection 1 of NRS 633.311.

(c) Other than a license issued pursuant to NRS 633.419, for a specified period and for specified purposes to a person who is licensed to practice osteopathic medicine in another jurisdiction.

2. For the purpose of paragraph (c) of subsection 1, the osteopathic physician must:

(a) Hold a full and unrestricted license to practice osteopathic medicine in another state;

(b) Not have had any disciplinary or other action taken against him or her by any state or other jurisdiction; and

(c) Be certified by a specialty board of the American Board of Medical Specialties, the American Osteopathic Association or their successors.

3. A special license issued under this section may be renewed by the Board upon application of the licensee.

4. Every person who applies for or renews a special license under this section shall pay respectively the special license fee or special license renewal fee specified in this chapter.

Sec. 34. NRS 633.4335 is hereby amended to read as follows:

633.4335 1. The Board may issue a license by endorsement to practice as a physician assistant to an applicant who meets the requirements set forth in this section. An applicant may submit to the Board an application for such a license if the applicant:

(a) Holds a corresponding valid and unrestricted license to practice as a physician assistant in the District of Columbia or any state or territory of the United States; and

(b) Is certified in a specialty recognized by the American Board of Medical Specialties or the American Osteopathic Association.

2. An applicant for a license by endorsement pursuant to this section must submit to the Board with his or her application:

(a) Proof satisfactory to the Board that the applicant:

(1) Satisfies the requirements of subsection 1;

(2) ~~[Is a citizen of the United States or otherwise has the legal right to work in the United States;~~

~~(3)]~~ Has not been disciplined and is not currently under investigation by the corresponding regulatory authority of the District of Columbia or any state or territory in which the applicant currently holds or has held a license to practice as a physician assistant; and

~~[(4)]~~ *(3)* Has not been held civilly or criminally liable for malpractice in the District of Columbia or any state or territory of the United States;

(b) A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints in the manner provided in NRS 633.309;

(c) An affidavit stating that the information contained in the application and any accompanying material is true and correct;

(d) The application and initial license fee specified in this chapter; and

(e) Any other information required by the Board.

3. Not later than 15 business days after receiving an application for a license by endorsement to practice as a physician assistant pursuant to this section, the Board shall provide written notice to the applicant of any additional information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board shall approve the application and issue a license by endorsement to practice as a physician assistant to the applicant not later than:

(a) Forty-five days after receiving the application; or

(b) Ten days after the Board receives a report on the applicant's background based on the submission of the applicant's fingerprints,

➥ whichever occurs later.

4. A license by endorsement to practice as a physician assistant may be issued at a meeting of the Board or between its meetings by the President and Executive Director of the Board. Such an action shall be deemed to be an action of the Board.

Sec. 35. NRS 633.4336 is hereby amended to read as follows:

633.4336 1. The Board may issue a license by endorsement to practice as a physician assistant to an applicant who meets the requirements set forth in this section. An applicant may submit to the Board an application for such a license if the applicant:

(a) Holds a corresponding valid and unrestricted license to practice as a physician assistant in the District of Columbia or any state or territory of the United States;

(b) Is certified in a specialty recognized by the American Board of Medical Specialties or the American Osteopathic Association; and

(c) Is an active member of, or the spouse of an active member of, the Armed Forces of the United States, a veteran or the surviving spouse of a veteran.

2. An applicant for a license by endorsement pursuant to this section must submit to the Board with his or her application:

(a) Proof satisfactory to the Board that the applicant:

(1) Satisfies the requirements of subsection 1;

(2) ~~[Is a citizen of the United States or otherwise has the legal right to work in the United States;~~

~~(3)]~~ Has not been disciplined and is not currently under investigation by the corresponding regulatory authority of the District of Columbia or the state or territory in which the applicant holds a license to practice as a physician assistant; and

~~[(4)]~~ *(3)* Has not been held civilly or criminally liable for malpractice in the District of Columbia or any state or territory of the United States;

(b) A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints in the manner provided in NRS 633.309;

(c) An affidavit stating that the information contained in the application and any accompanying material is true and correct;

(d) The application and initial license fee specified in this chapter; and

(e) Any other information required by the Board.

3. Not later than 15 business days after receiving an application for a license by endorsement to practice as a physician assistant pursuant to this section, the Board shall provide written notice to the applicant of any additional information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board shall approve the application and issue a license by endorsement to practice as a physician assistant to the applicant not later than:

(a) Forty-five days after receiving all the additional information required by the Board to complete the application; or

(b) Ten days after the Board receives a report on the applicant's background based on the submission of the applicant's fingerprints,

➥ whichever occurs later.

4. A license by endorsement to practice as a physician assistant may be issued at a meeting of the Board or between its meetings by the President and Executive Director of the Board. Such an action shall be deemed to be an action of the Board.

5. At any time before making a final decision on an application for a license by endorsement pursuant to this section, the Board may grant a provisional license authorizing an applicant to practice as a physician assistant in accordance with regulations adopted by the Board.

6. As used in this section, "veteran" has the meaning ascribed to it in NRS 417.005.

Sec. 36. NRS 634.080 is hereby amended to read as follows:

634.080 1. An applicant for examination must file an application not less than 60 days before the date of the examination.

2. An application must be filed with the Secretary of the Board on a form to be furnished by the Secretary.

3. An application must be verified and must state:

(a) When and where the applicant was born, the various places of the applicant's residence during the 5 years immediately preceding the making of the application and the address to which he or she wishes the Board to mail the license.

(b) The name, age and sex of the applicant.

(c) The names and post office addresses of all persons by whom the applicant has been employed for a period of 5 years immediately preceding the making of the application.

(d) Whether or not the applicant has ever applied for a license to practice chiropractic in any other state and, if so, when and where and the results of the application.

(e) ~~[Whether the applicant is a citizen of the United States or lawfully entitled to remain and work in the United States.~~

~~(f)]~~ Whether or not the applicant has ever been admitted to the practice of chiropractic in any other state and, if so, whether any discharge, dismissal, disciplinary or other similar proceedings have ever been instituted against the applicant. Such an applicant must also attach a certificate from the chiropractic board of each state in which the applicant was licensed, certifying that the applicant is a member in good standing of the chiropractic profession in that state, and that no proceedings affecting the applicant's standing as a chiropractor are undisposed of and pending.

~~[(g)]~~ *(f)* The applicant's general and chiropractic education, including the schools attended and the time of attendance at each school, and whether the applicant is a graduate of any school or schools.

~~[(h)]~~ *(g)* The names of:

(1) Two persons who have known the applicant for at least 3 years; and

(2) A person who is a chiropractor licensed pursuant to the provisions of this chapter or a professor at a school of chiropractic.

~~[(i)]~~ *(h)* All other information required to complete the application.

4. An application must include a copy of the applicant's official transcript from the school or college of chiropractic from which the applicant received his or her degree of doctor of chiropractic, which must be transmitted by the school or college of chiropractic directly to the Board.

Sec. 37. NRS 635.050 is hereby amended to read as follows:

635.050 1. Any person wishing to practice podiatry in this State must, before beginning to practice, procure from the Board a license to practice podiatry.

2. Except as otherwise provided in NRS 635.066 and 635.0665, a license to practice podiatry may be issued by the Board to any person who:

(a) Is of good moral character.

(b) ~~[Is a citizen of the United States or is lawfully entitled to remain and work in the United States.~~

~~(c)]~~ Has received the degree of D.P.M., Doctor of Podiatric Medicine, from an accredited school of podiatry.

~~[(d)]~~ *(c)* Has completed a residency approved by the Board.

~~[(e)]~~ *(d)* Has passed the examination given by the National Board of Podiatric Medical Examiners.

~~[(f)]~~ *(e)* Has not committed any act described in subsection 2 of NRS 635.130. For the purposes of this paragraph, an affidavit signed by the applicant stating that the applicant has not committed any act described in subsection 2 of NRS 635.130 constitutes satisfactory proof.

3. An applicant for a license to practice podiatry must submit to the Board or a committee thereof pursuant to such regulations as the Board may adopt:

(a) The fee for an application for a license, including a license by endorsement, of not more than $600;

(b) Proof satisfactory to the Board that the requirements of subsection 2 have been met; and

(c) All other information required by the Board to complete an application for a license.

➥ The Board shall, by regulation, establish the fee required to be paid pursuant to this subsection.

4. The Board may reject an application if it appears that the applicant's credentials are fraudulent or the applicant has practiced podiatry without a license or committed any act described in subsection 2 of NRS 635.130.

5. The Board may require such further documentation or proof of qualification as it may deem proper.

6. The provisions of this section do not apply to a person who applies for:

(a) A limited license to practice podiatry pursuant to NRS 635.075; or

(b) A provisional license to practice podiatry pursuant to NRS 635.082.

Sec. 38. NRS 635.066 is hereby amended to read as follows:

635.066 1. Except as otherwise provided in NRS 635.073, the Board may issue a license by endorsement to practice podiatry to an applicant who meets the requirements set forth in this section. An applicant may submit to the Board an application for such a license if the applicant holds a corresponding valid and unrestricted license to practice podiatry in the District of Columbia or any state or territory of the United States.

2. An applicant for a license by endorsement pursuant to this section must submit to the Board with his or her application:

(a) Proof satisfactory to the Board that the applicant:

(1) Satisfies the requirements of subsection 1;

(2) ~~[Is a citizen of the United States or otherwise has the legal right to work in the United States;~~

~~(3)]~~ Has not been disciplined or investigated by the corresponding regulatory authority of the District of Columbia or any state or territory in which the applicant currently holds or has held a license to practice podiatry; and

~~[(4)]~~ *(3)* Has not been held civilly or criminally liable for malpractice in the District of Columbia or any state or territory of the United States;

(b) An affidavit stating that the information contained in the application and any accompanying material is true and correct;

(c) A fee in the amount of the fee for an application for a license required pursuant to paragraph (a) of subsection 3 of NRS 635.050; and

(d) Any other information required by the Board.

3. Not later than 15 business days after receiving an application for a license by endorsement to practice podiatry pursuant to this section, the Board shall provide written notice to the applicant of any additional information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board shall approve the application and issue a license by endorsement to practice podiatry to the applicant not later than:

(a) Forty-five days after receiving the application; or

(b) Ten days after the Board receives a report on the applicant's background based on the submission of the applicant's fingerprints,

➥ whichever occurs later.

4. A license by endorsement to practice podiatry may be issued at a meeting of the Board or between its meetings by the President of the Board. Such an action shall be deemed to be an action of the Board.

Sec. 39. NRS 635.0665 is hereby amended to read as follows:

635.0665 1. Except as otherwise provided in NRS 635.073, the Board may issue a license by endorsement to practice podiatry to an applicant who meets the requirements set forth in this section. An applicant may submit to the Board an application for such a license if the applicant holds a corresponding valid and unrestricted license to practice podiatry in the District of Columbia or any state or territory of the United States.

2. An applicant for a license by endorsement pursuant to this section must submit to the Board with his or her application:

(a) Proof satisfactory to the Board that the applicant:

(1) Satisfies the requirements of subsection 1;

(2) ~~[Is a citizen of the United States or otherwise has the legal right to work in the United States;~~

~~(3)]~~ Has not been disciplined or investigated by the corresponding regulatory authority of the District of Columbia or any state or territory in which the applicant holds a license to practice podiatry; and

~~[(4)]~~ *(3)* Has not been held civilly or criminally liable for malpractice in the District of Columbia or any state or territory of the United States;

(b) A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints in the manner provided in NRS 635.067;

(c) An affidavit stating that the information contained in the application and any accompanying material is true and correct; and

(d) Any other information required by the Board.

3. Not later than 15 business days after receiving an application for a license by endorsement to practice podiatry pursuant to this section, the Board shall provide written notice to the applicant of any additional information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board shall approve the application and issue a license by endorsement to practice podiatry to the applicant not later than:

(a) Forty-five days after receiving all the additional information required by the Board to complete the application; or

(b) Ten days after the Board receives a report on the applicant's background based on the submission of the applicant's fingerprints,

➥ whichever occurs later.

4. A license by endorsement to practice podiatry may be issued at a meeting of the Board or between its meetings by the President of the Board. Such an action shall be deemed to be an action of the Board.

5. At any time before making a final decision on an application for a license by endorsement pursuant to this section, the Board may grant a provisional license authorizing an applicant to practice podiatry in accordance with regulations adopted by the Board.

6. If an applicant submits an application for a license by endorsement pursuant to this section and is an active member of, or the spouse of an active member of, the Armed Forces of the United States, a veteran or the surviving spouse of a veteran, the Board shall collect not more than one-half of the fee established pursuant to NRS 635.050 for the initial issuance of the license. As used in this subsection, "veteran" has the meaning ascribed to it in NRS 417.005.

Sec. 40. NRS 635.075 is hereby amended to read as follows:

635.075 1. The Board shall issue a limited license to practice podiatry pursuant to this section to each applicant who complies with the provisions of this section.

2. An applicant for a limited license to practice podiatry must submit to the Board:

(a) An application on a form provided by the Board;

(b) A fee in the amount of the fee for an application for a license required pursuant to paragraph (a) of subsection 3 of NRS 635.050; and

(c) Satisfactory proof that the applicant:

(1) Is of good moral character;

(2) ~~[Is a citizen of the United States or is lawfully entitled to remain and work in the United States;~~

~~(3)]~~ For not less than 25 years:

(I) Was licensed to practice podiatry in one or more states or the District of Columbia and practiced podiatry during the period each such license was in effect; and

(II) Remained licensed in good standing at all times during the period he or she was licensed to practice podiatry; and

~~[(4)]~~ *(3)* Has not committed any act described in subsection 2 of NRS 635.130. For the purposes of this subparagraph, an affidavit signed by the applicant stating that the applicant has not committed any act described in subsection 2 of NRS 635.130 constitutes satisfactory proof.

3. An applicant for a limited license is not required to be licensed to practice podiatry in another state or the District of Columbia when he or she submits the application for a limited license to the Board.

4. A person who is issued a limited license pursuant to this section may practice podiatry only under the direct supervision of a podiatric physician who is licensed pursuant to this chapter and who does not hold a limited license issued pursuant to this section.

5. A limited license issued pursuant to this section:

(a) Is effective upon issuance; and

(b) May be renewed in the manner prescribed in NRS 635.110.

6. The Board may:

(a) Place such restrictions and conditions upon a limited license issued pursuant to this section as the Board deems appropriate; and

(b) Adopt regulations to carry out the provisions of this section.

Sec. 41. NRS 635.082 is hereby amended to read as follows:

635.082 1. A graduate of an accredited school of podiatry may, during his or her residency, be granted a provisional license to practice podiatry under the direct supervision of a podiatric physician licensed to practice in this State. A provisional license must not be effective for more than 1 year and is not renewable.

2. A provisional license to practice podiatry may be issued by the Board to any person who:

(a) ~~[Is a citizen of the United States or is lawfully entitled to remain and work in the United States.~~

~~(b)]~~ Has received the degree of D.P.M., Doctor of Podiatric Medicine, from an accredited school of podiatry.

~~[(c)]~~ *(b)* Has passed the examination given by the National Board of Podiatric Medical Examiners.

3. An applicant for a provisional license to practice podiatry must submit to the Board or a committee thereof pursuant to such regulations as the Board may adopt:

(a) The fee for an application for a provisional license of not more than $600;

(b) Proof satisfactory to the Board that the requirements of subsection 2 have been met; and

(c) All other information required by the Board to complete an application for a provisional license.

4. The fee required pursuant to subsection 3 must be established by regulation of the Board.

5. The Board may by regulation govern the issuance and conditions of the provisional license.

Sec. 42. NRS 635.093 is hereby amended to read as follows:

635.093 Any person wishing to be licensed as a podiatry hygienist in this State must:

1. Furnish the Board with satisfactory proof that the person:

(a) Is of good moral character.

(b) ~~[Is a citizen of the United States or is lawfully entitled to remain and work in the United States.~~

~~(c)]~~ Has satisfactorily completed a course for podiatry hygienists approved by the Board or has had 6 months or more of training in a podiatric physician's office as approved by the Board.

2. Submit all information required to complete an application for a license.

3. Pay to the Board a fee, not exceeding $100, which must be established by regulation of the Board.

Sec. 43. NRS 636.155 is hereby amended to read as follows:

636.155 Except as otherwise provided in NRS 636.206 and 636.207, an applicant must file with the Executive Director satisfactory proof that the applicant:

1. Is at least 21 years of age;

2. ~~[Is a citizen of the United States or is lawfully entitled to reside and work in this country;~~

~~3.]~~ Is of good moral character;

~~[4.]~~ *3.* Has been certified or recertified as completing a course of cardiopulmonary resuscitation within the 12-month period immediately preceding the examination for licensure; and

~~[5.]~~ *4.* Has graduated from a school of optometry accredited by the established professional agency and the Board, maintaining a standard of 6 college years, and including, as a prerequisite to admission to the courses in optometry, at least 2 academic years of study in a college of arts and sciences accredited by the Association of American Universities or a similar regional accrediting agency.

Sec. 44. NRS 636.206 is hereby amended to read as follows:

636.206 1. The Board may issue a license by endorsement to engage in the practice of optometry to an applicant who meets the requirements set forth in this section. An applicant may submit to the Board an application for such a license if the applicant holds a corresponding valid and unrestricted license to engage in the practice of optometry in the District of Columbia or any state or territory of the United States.

2. An applicant for a license by endorsement pursuant to this section must submit to the Board with his or her application:

(a) Proof satisfactory to the Board that the applicant:

(1) Satisfies the requirements of subsection 1;

(2) ~~[Is a citizen of the United States or otherwise has the legal right to work in the United States;~~

~~(3)]~~ Has had no adverse actions reported to the National Practitioner Data Bank within the past 5 years;

~~[(4)]~~ *(3)* Has been continuously and actively engaged in the practice of optometry for the past 5 years;

~~[(5)]~~ *(4)* Has not been disciplined and is not currently under investigation by the corresponding regulatory authority of the District of Columbia or any state or territory in which the applicant currently holds or has held a license to engage in the practice of optometry; and

~~[(6)]~~ *(5)* Has not been held civilly or criminally liable for malpractice in the District of Columbia or any state or territory of the United States;

(b) An affidavit stating that the information contained in the application and any accompanying material is true and correct; and

(c) Any other information required by the Board.

3. Not later than 15 business days after receiving an application for a license by endorsement to engage in the practice of optometry pursuant to this section, the Board shall provide written notice to the applicant of any additional information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board shall approve the application and issue a license by endorsement to engage in the practice of optometry to the applicant not later than 45 days after receiving the application.

4. A license by endorsement to engage in the practice of optometry may be issued at a meeting of the Board or between its meetings by the President of the Board. Such an action shall be deemed to be an action of the Board.

Sec. 45. NRS 636.207 is hereby amended to read as follows:

636.207 1. The Board may issue a license by endorsement to practice optometry to an applicant who meets the requirements set forth in this section. An applicant may submit to the Board an application for such a license if the applicant:

(a) Holds a corresponding valid and unrestricted license to practice optometry in the District of Columbia or any state or territory of the United States; and

(b) Is an active member of, or the spouse of an active member of, the Armed Forces of the United States, a veteran or the surviving spouse of a veteran.

2. An applicant for a license by endorsement pursuant to this section must submit to the Board with his or her application:

(a) Proof satisfactory to the Board that the applicant:

(1) Satisfies the requirements of subsection 1;

(2) ~~[Is a citizen of the United States or otherwise has the legal right to work in the United States;~~

~~(3)]~~ Has not been disciplined or investigated by the corresponding regulatory authority of the District of Columbia or any state or territory in which the applicant holds a license to practice optometry; and

~~[(4)]~~ *(3)* Has not been held civilly or criminally liable for malpractice in the District of Columbia or any state or territory of the United States;

(b) An affidavit stating that the information contained in the application and any accompanying material is true and correct; and

(c) Any other information required by the Board.

3. Not later than 15 business days after receiving an application for a license by endorsement to practice optometry pursuant to this section, the Board shall provide written notice to the applicant of any additional information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board shall approve the application and issue a license by endorsement to practice optometry to the applicant not later than 45 days after receiving all the additional information required by the Board to complete the application.

4. A license by endorsement to practice optometry may be issued at a meeting of the Board or between its meetings by the President and Executive Director of the Board. Such an action shall be deemed to be an action of the Board.

5. At any time before making a final decision on an application for a license by endorsement pursuant to this section, the Board may grant a provisional license authorizing an applicant to practice optometry in accordance with regulations adopted by the Board.

6. As used in this section, "veteran" has the meaning ascribed to it in NRS 417.005.

Sec. 46. NRS 637.100 is hereby amended to read as follows:

637.100 1. To qualify for examination and licensing as a dispensing optician, an applicant must furnish proof that the applicant:

(a) Is at least 18 years of age.

(b) Is of good moral character.

(c) ~~[Is a citizen of the United States, or is lawfully entitled to remain and work in the United States.~~

~~(d)]~~ Is a graduate of an accredited high school or its equivalent.

~~[(e)]~~ *(d)* Has passed the examination of the American Board of Opticianry.

~~[(f)]~~ *(e)* Has done either of the following:

(1) Served as an apprentice dispensing optician for not less than 3 years in an optical establishment where prescriptions for spectacles or contact lenses from given formulae are fitted and filled under the direct supervision of a licensed dispensing optician, licensed ophthalmologist or licensed optometrist for the purpose of acquiring experience in ophthalmic dispensing and has passed an educational program on the theory of ophthalmic dispensing approved by the Board; or

(2) Successfully completed a course of study in a school which offers a degree of associate in applied science for studies in ophthalmic dispensing approved by the Board and has had 1 year of ophthalmic experience as an apprentice dispensing optician under the direct supervision of a licensed dispensing optician, licensed ophthalmologist or licensed optometrist.

~~[(g)]~~ *(f)* Has done all of the following:

(1) Successfully completed a course of instruction on the fitting of contact lenses approved by the Board;

(2) Completed at least 100 hours of training and experience in the fitting of and filling of prescriptions for contact lenses under the direct supervision of a licensed dispensing optician authorized to fit and fill prescriptions for contact lenses, a licensed ophthalmologist or a licensed optometrist;

(3) Passed the Contact Lens Registry Examination of the National Committee of Contact Lens Examiners; and

(4) Passed the practical examination on the fitting of and filling of prescriptions for contact lenses adopted by the Board.

2. The Board shall adopt regulations to carry out the provisions of this section, including, without limitation, regulations that establish requirements for:

(a) The program of apprenticeship for apprentice dispensing opticians;

(b) The training and experience of apprentice dispensing opticians; and

(c) The issuance of licenses to apprentice dispensing opticians.

Sec. 47. NRS 637.127 is hereby amended to read as follows:

637.127 1. The Board shall issue a special license as a dispensing optician to an applicant who:

(a) Is at least 18 years of age;

(b) Is of good moral character;

(c) ~~[Is a citizen of the United States or is lawfully entitled to remain and work in the United States;~~

~~(d)]~~ Is a graduate of an accredited high school or its equivalent;

~~[(e)]~~ *(d)* Has passed the National Opticianry Competency Examination of the American Board of Opticianry;

~~[(f)]~~ *(e)* Is currently certified by the American Board of Opticianry;

~~[(g)]~~ *(f)* Has passed the Contact Lens Registry Examination of the National Contact Lens Examiners;

~~[(h)]~~ *(g)* Is currently certified by the National Contact Lens Examiners;

~~[(i)]~~ *(h)* Has passed an examination, if one exists, which is based solely on the provisions of this chapter and any regulations adopted pursuant thereto and is administered by the Board; and

~~[(j)]~~ *(i)* Has either:

(1) An active license as a dispensing optician issued by the District of Columbia or any state or territory of the United States; or

(2) Not less than 5 years of experience as a dispensing optician.

2. A person practicing ophthalmic dispensing pursuant to a special license as provided in this section is subject to the provisions of this chapter in the same manner as a person practicing ophthalmic dispensing pursuant to a license issued pursuant to NRS 637.120, including, without limitation, the provisions of this chapter governing the renewal, inactivity or reactivation of a license.

Sec. 48. NRS 637B.203 is hereby amended to read as follows:

637B.203 1. The Board may issue a license by endorsement to engage in the practice of audiology or speech-language pathology to an applicant who meets the requirements set forth in this section. An applicant may submit to the Board an application for such a license if the applicant holds a corresponding valid and unrestricted license to engage in the practice of audiology or speech-language pathology, as applicable, in the District of Columbia or any state or territory of the United States.

2. An applicant for a license by endorsement pursuant to this section must submit to the Board with his or her application:

(a) Proof satisfactory to the Board that the applicant:

(1) Satisfies the requirements of subsection 1;

(2) ~~[Is a citizen of the United States or otherwise has the legal right to work in the United States;~~

~~(3)]~~ Has not been disciplined or investigated by the corresponding regulatory authority of the District of Columbia or any state or territory in which the applicant currently holds or has held a license to engage in the practice of audiology or speech-language pathology, as applicable; and

~~[(4)]~~ *(3)* Has not been held civilly or criminally liable for malpractice in the District of Columbia or any state or territory of the United States;

(b) An affidavit stating that the information contained in the application and any accompanying material is true and correct; and

(c) Any other information required by the Board.

3. Not later than 15 business days after receiving an application for a license by endorsement to engage in the practice of audiology or speech-language pathology pursuant to this section, the Board shall provide written notice to the applicant of any additional information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board shall approve the application and issue a license by endorsement to engage in the practice of audiology or speech-language pathology, as applicable, to the applicant not later than 45 days after receiving the application.

4. A license by endorsement to engage in the practice of audiology or speech-language pathology may be issued at a meeting of the Board or between its meetings by the President of the Board. Such an action shall be deemed to be an action of the Board.

Sec. 49. NRS 637B.204 is hereby amended to read as follows:

637B.204 1. The Board may issue a license by endorsement to engage in the practice of audiology or speech-language pathology to an applicant who meets the requirements set forth in this section. An applicant may submit to the Board an application for such a license if the applicant:

(a) Holds a corresponding valid and unrestricted license to engage in the practice of audiology or speech-language pathology, as applicable, in the District of Columbia or any state or territory of the United States; and

(b) Is an active member of, or the spouse of an active member of, the Armed Forces of the United States, a veteran or the surviving spouse of a veteran.

2. An applicant for a license by endorsement pursuant to this section must submit to the Board with his or her application:

(a) Proof satisfactory to the Board that the applicant:

(1) Satisfies the requirements of subsection 1;

(2) ~~[Is a citizen of the United States or otherwise has the legal right to work in the United States;~~

~~(3)]~~ Has not been disciplined or investigated by the corresponding regulatory authority of the District of Columbia or any state or territory in which the applicant holds a license to engage in the practice of audiology or speech-language pathology, as applicable; and

~~[(4)]~~ *(3)* Has not been held civilly or criminally liable for malpractice in the District of Columbia or any state or territory of the United States;

(b) An affidavit stating that the information contained in the application and any accompanying material is true and correct; and

(c) Any other information required by the Board.

3. Not later than 15 business days after receiving an application for a license by endorsement to engage in the practice of audiology or speech-language pathology pursuant to this section, the Board shall provide written notice to the applicant of any additional information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board shall approve the application and issue a license by endorsement to engage in the practice of audiology or speech-language pathology, as applicable, to the applicant not later than 45 days after receiving all the additional information required by the Board to complete the application.

4. A license by endorsement to engage in the practice of audiology or speech-language pathology may be issued at a meeting of the Board or between its meetings by the President of the Board. Such an action shall be deemed to be an action of the Board.

5. At any time before making a final decision on an application for a license by endorsement pursuant to this section, the Board may grant a

provisional license authorizing an applicant to engage in the practice of audiology or speech-language pathology, as applicable, in accordance with regulations adopted by the Board.

6. As used in this section, "veteran" has the meaning ascribed to it in NRS 417.005.

Sec. 50. NRS 638.100 is hereby amended to read as follows:

638.100 1. Any person who desires to secure a license to practice veterinary medicine, surgery, obstetrics or dentistry in the State of Nevada must make written application to the Executive Director of the Board.

2. The application must include all information required to complete the application and any other information required by the Board and must be accompanied by satisfactory proof that the applicant:

(a) Is of good moral character;

(b) Except as otherwise provided in subsection 3, has received a diploma conferring the degree of doctor of veterinary medicine or its equivalent from a school of veterinary medicine that is accredited by the Council on Education of the American Veterinary Medical Association or, if the applicant is a graduate of a school of veterinary medicine that is not accredited by the Council on Education of the American Veterinary Medical Association, that the applicant has received an educational certificate issued by the Educational Commission for Foreign Veterinary Graduates of the American Veterinary Medical Association or, if the Educational Commission for Foreign Veterinary Graduates of the American Veterinary Medical Association ceases to exist, by an organization approved by the Board that certifies that the holder of the certificate has demonstrated knowledge and skill of veterinary medicine that is equivalent to the knowledge and skill of veterinary medicine of a graduate of a college of veterinary medicine that is accredited by the Council on Education of the American Veterinary Medical Association; *and*

(c) Has passed each examination required by the Board pursuant to NRS 638.110 . ~~[; and~~

~~(d) Is a citizen of the United States or is lawfully entitled to remain and work in the United States.]~~

3. A veterinary student in his or her final year at a school accredited by the American Veterinary Medical Association may submit an application to the Board and take the state examination administered by the Board, but the Board may not issue a license until the student has complied with the requirements of subsection 2.

4. The application must be signed by the applicant, notarized and accompanied by a fee set by the Board, not to exceed $500.

5. The Board may refuse to issue a license if the Board determines that an applicant has committed an act which would be a ground for disciplinary action if the applicant were a licensee.

Sec. 51. NRS 638.116 is hereby amended to read as follows:

638.116 1. Any person who desires to secure a license as a euthanasia technician must make written application to the Executive Director of the

Board.

2. The application must be accompanied by satisfactory proof that the applicant:

(a) Is of good moral character.

(b) ~~[Is a citizen of the United States or is lawfully entitled to remain and work in the United States.~~

~~(c)]~~ Is employed by a law enforcement agency, an animal control agency, or by a society for the prevention of cruelty to animals that is in compliance with the provisions of chapter 574 of NRS.

~~[(d)]~~ *(c)* Has not been convicted of a felony.

~~[(e)]~~ *(d)* Has furnished any other information required by the Board.

3. The application must be accompanied by:

(a) A fee to be set by the Board in an amount not to exceed $500; and

(b) All information required to complete the application.

Sec. 52. NRS 638.122 is hereby amended to read as follows:

638.122 1. Any person who desires to secure a license as a veterinary technician must make written application to the Executive Director of the Board.

2. The application must be accompanied by satisfactory proof that the applicant:

(a) Is of good moral character.

(b) Has received a diploma conferring the degree of veterinary technician or its equivalent after having completed a college level course at a school approved by the Board.

(c) ~~[Is a citizen of the United States or is lawfully entitled to remain and work in the United States.~~

~~(d)]~~ Has furnished any other information required by the Board.

3. The application must be accompanied by:

(a) A fee to be set by the Board in an amount not to exceed $500; and

(b) All information required to complete the application.

Sec. 53. NRS 639.136 is hereby amended to read as follows:

639.136 1. The Board may issue a certificate by endorsement as a registered pharmacist to an applicant who meets the requirements set forth in this section. An applicant may submit to the Board an application for such a certificate if the applicant holds a corresponding valid and unrestricted certificate as a registered pharmacist in the District of Columbia or any state or territory of the United States.

2. An applicant for a certificate by endorsement pursuant to this section must submit to the Board with his or her application:

(a) Proof satisfactory to the Board that the applicant:

(1) Satisfies the requirements of subsection 1;

(2) ~~[Is a citizen of the United States or otherwise has the legal right to work in the United States;~~

~~(3)]~~ Has not been disciplined or investigated by the corresponding regulatory authority of the District of Columbia or any state or territory in

which the applicant currently holds or has held a certificate as a registered pharmacist; and

~~[(4)]~~ *(3)* Has not been held civilly or criminally liable for malpractice in the District of Columbia or any state or territory of the United States;

(b) An affidavit stating that the information contained in the application and any accompanying material is true and correct; and

(c) Any other information required by the Board.

3. Not later than 15 business days after receiving an application for a certificate by endorsement as a registered pharmacist pursuant to this section, the Board shall provide written notice to the applicant of any additional information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board shall approve the application and issue a certificate by endorsement as a registered pharmacist to the applicant not later than 45 days after receiving the application.

4. A certificate by endorsement as a registered pharmacist may be issued at a meeting of the Board or between its meetings by the President of the Board. Such an action shall be deemed to be an action of the Board.

Sec. 54. NRS 639.1365 is hereby amended to read as follows:

639.1365 1. The Board may issue a certificate by endorsement as a registered pharmacist to an applicant who meets the requirements set forth in this section. An applicant may submit to the Board an application for such a certificate if the applicant:

(a) Holds a corresponding valid and unrestricted certificate as a registered pharmacist in the District of Columbia or any state or territory of the United States; and

(b) Is an active member of, or the spouse of an active member of, the Armed Forces of the United States, a veteran or the surviving spouse of a veteran.

2. An applicant for a certificate by endorsement pursuant to this section must submit to the Board with his or her application:

(a) Proof satisfactory to the Board that the applicant:

(1) Satisfies the requirements of subsection 1;

(2) ~~[Is a citizen of the United States or otherwise has the legal right to work in the United States;~~

~~(3)]~~ Has not been disciplined or investigated by the corresponding regulatory authority of the District of Columbia or the state or territory in which the applicant holds a certificate as a registered pharmacist; and

~~[(4)]~~ *(3)* Has not been held civilly or criminally liable for malpractice in the District of Columbia or any state or territory of the United States;

(b) An affidavit stating that the information contained in the application and any accompanying material is true and correct; and

(c) Any other information required by the Board.

3. Not later than 15 business days after receiving an application for a certificate by endorsement as a registered pharmacist pursuant to this section, the Board shall provide written notice to the applicant of any additional

information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board shall approve the application and issue a certificate by endorsement as a registered pharmacist to the applicant not later than 45 days after receiving all the additional information required by the Board to complete the application.

4. A certificate by endorsement as a registered pharmacist may be issued at a meeting of the Board or between its meetings by the President of the Board. Such an action shall be deemed to be an action of the Board.

5. At any time before making a final decision on an application for a certificate by endorsement pursuant to this section, the Board may grant a provisional certificate as a registered pharmacist to an applicant in accordance with regulations adopted by the Board.

6. As used in this section, "veteran" has the meaning ascribed to it in NRS 417.005.

Sec. 55. NRS 639.2315 is hereby amended to read as follows:

639.2315 1. The Board may issue a license by endorsement to conduct a pharmacy to an applicant who is a natural person and who meets the requirements set forth in this section. An applicant may submit to the Board an application for such a license if the applicant holds a corresponding valid and unrestricted license to conduct a pharmacy in the District of Columbia or any state or territory of the United States.

2. An applicant for a license by endorsement pursuant to this section must submit to the Board with his or her application:

(a) Proof satisfactory to the Board that the applicant:

(1) Satisfies the requirements of subsection 1;

(2) ~~[Is a citizen of the United States or otherwise has the legal right to work in the United States;~~

~~(3)]~~ Has not been disciplined or investigated by the corresponding regulatory authority of the District of Columbia or any state or territory in which the applicant currently holds or has held a license to conduct a pharmacy; and

~~[(4)]~~ *(3)* Has not been held civilly or criminally liable for malpractice in the District of Columbia or any state or territory of the United States;

(b) An affidavit stating that the information contained in the application and any accompanying material is true and correct; and

(c) Any other information required by the Board.

3. Not later than 15 business days after receiving an application for a license by endorsement to conduct a pharmacy pursuant to this section, the Board shall provide written notice to the applicant of any additional information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board shall approve the application and issue a license by endorsement to conduct a pharmacy to the applicant not later than 45 days after receiving the application.

4. A license by endorsement to conduct a pharmacy may be issued at a meeting of the Board or between its meetings by the President of the Board.

Such an action shall be deemed to be an action of the Board.

Sec. 56. NRS 639.2316 is hereby amended to read as follows:

639.2316 1. The Board may issue a license by endorsement to conduct a pharmacy to an applicant who is a natural person and who meets the requirements set forth in this section. An applicant may submit to the Board an application for such a license if the applicant:

(a) Holds a corresponding valid and unrestricted license to conduct a pharmacy in the District of Columbia or any state or territory of the United States; and

(b) Is an active member of, or the spouse of an active member of, the Armed Forces of the United States, a veteran or the surviving spouse of a veteran.

2. An applicant for a license by endorsement pursuant to this section must submit to the Board with his or her application:

(a) Proof satisfactory to the Board that the applicant:

(1) Satisfies the requirements of subsection 1;

(2) ~~[Is a citizen of the United States or otherwise has the legal right to work in the United States;~~

~~(3)]~~ Has not been disciplined or investigated by the corresponding regulatory authority of the District of Columbia or the state or territory in which the applicant holds a license to conduct a pharmacy; and

~~[(4)]~~ *(3)* Has not been held civilly or criminally liable for malpractice in the District of Columbia or any state or territory of the United States;

(b) An affidavit stating that the information contained in the application and any accompanying material is true and correct; and

(c) Any other information required by the Board.

3. Not later than 15 business days after receiving an application for a license by endorsement to conduct a pharmacy pursuant to this section, the Board shall provide written notice to the applicant of any additional information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board shall approve the application and issue a license by endorsement to conduct a pharmacy to the applicant not later than 45 days after receiving all the additional information required by the Board to complete the application.

4. A license by endorsement to conduct a pharmacy may be issued at a meeting of the Board or between its meetings by the President of the Board. Such an action shall be deemed to be an action of the Board.

5. At any time before making a final decision on an application for a license by endorsement pursuant to this section, the Board may grant a provisional license to conduct a pharmacy to an applicant in accordance with regulations adopted by the Board.

6. As used in this section, "veteran" has the meaning ascribed to it in NRS 417.005.

Sec. 57. NRS 640.145 is hereby amended to read as follows:

640.145 1. The Board may issue a license by endorsement as a physical therapist or physical therapist assistant to an applicant who meets the

requirements set forth in this section. An applicant may submit to the Board an application for such a license if the applicant holds a corresponding valid and unrestricted license as a physical therapist or physical therapist assistant, as applicable, in the District of Columbia or any state or territory of the United States.

2. An applicant for a license by endorsement pursuant to this section must submit to the Board with his or her application:

(a) Proof satisfactory to the Board that the applicant:

(1) Satisfies the requirements of subsection 1;

(2) ~~[Is a citizen of the United States or otherwise has the legal right to work in the United States;~~

~~(3)]~~ Has not been disciplined and is not currently being investigated by the corresponding regulatory authority of the District of Columbia or any state or territory in which the applicant currently holds or has held a license as a physical therapist or physical therapist assistant; and

~~[(4)]~~ *(3)* Has not been held civilly or criminally liable for malpractice in the District of Columbia or any state or territory of the United States;

(b) A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints in the manner provided in NRS 640.090;

(c) An affidavit stating that the information contained in the application and any accompanying material is true and correct;

(d) A fee in the amount of the fee set by a regulation of the Board pursuant to paragraph (c) of subsection 1 of NRS 640.090 for an application for a license; and

(e) Any other information required by the Board.

3. Not later than 15 business days after receiving an application for a license by endorsement pursuant to this section, the Board shall provide written notice to the applicant of any additional information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board shall approve the application and issue a license by endorsement to the applicant not later than:

(a) Forty-five days after receiving the application; or

(b) Ten days after the Board receives a report on the applicant's background based on the submission of the applicant's fingerprints,

➥ whichever occurs later.

4. A license by endorsement may be issued at a meeting of the Board or between its meetings by the Chair of the Board or his or her designee. Such an action shall be deemed to be an action of the Board.

Sec. 58. NRS 640.146 is hereby amended to read as follows:

640.146 1. The Board may issue a license by endorsement as a physical therapist or physical therapist assistant to an applicant who meets the requirements set forth in this section. An applicant may submit to the Board an application for such a license if the applicant:

(a) Holds a corresponding valid and unrestricted license as a physical therapist or physical therapist assistant in the District of Columbia or any state or territory of the United States; and

(b) Is an active member of, or the spouse of an active member of, the Armed Forces of the United States, a veteran or the surviving spouse of a veteran.

2. An applicant for a license by endorsement pursuant to this section must submit to the Board with his or her application:

(a) Proof satisfactory to the Board that the applicant:

(1) Satisfies the requirements of subsection 1;

(2) ~~[Is a citizen of the United States or otherwise has the legal right to work in the United States;~~

~~(3)]~~ Has not been disciplined and is not currently being investigated by the corresponding regulatory authority of the District of Columbia or the state or territory in which the applicant holds a license as a physical therapist or physical therapist assistant; and

~~[(4)]~~ *(3)* Has not been held civilly or criminally liable for malpractice in the District of Columbia or any state or territory of the United States;

(b) A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints in the manner provided in NRS 640.090;

(c) An affidavit stating that the information contained in the application and any accompanying material is true and correct;

(d) A fee in the amount set by a regulation of the Board pursuant to paragraph (c) of subsection 1 of NRS 640.090 for an application for a license; and

(e) Any other information required by the Board.

3. Not later than 15 business days after receiving an application for a license by endorsement pursuant to this section, the Board shall provide written notice to the applicant of any additional information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board shall approve the application and issue a license by endorsement to the applicant not later than:

(a) Forty-five days after receiving all the additional information required by the Board to complete the application; or

(b) Ten days after the Board receives a report on the applicant's background based on the submission of the applicant's fingerprints,

➥ whichever occurs later.

4. A license by endorsement may be issued at a meeting of the Board or between its meetings by the Chair of the Board or his or her designee. Such an action shall be deemed to be an action of the Board.

5. At any time before making a final decision on an application for a license by endorsement pursuant to this section, the Board may grant a provisional license authorizing an applicant to practice as a physical therapist or physical therapist assistant, as applicable, in accordance with regulations adopted by the Board.

6. As used in this section, "veteran" has the meaning ascribed to it in NRS 417.005.

Sec. 59. NRS 640A.165 is hereby amended to read as follows:

640A.165 1. The Board may issue a license by endorsement as an occupational therapist to an applicant who meets the requirements set forth in this section. An applicant may submit to the Board an application for such a license if the applicant holds a corresponding valid and unrestricted license as an occupational therapist in the District of Columbia or any state or territory of the United States.

2. An applicant for a license by endorsement pursuant to this section must submit to the Board with his or her application:

(a) Proof satisfactory to the Board that the applicant:

(1) Satisfies the requirements of subsection 1;

(2) ~~[Is a citizen of the United States or otherwise has the legal right to work in the United States;~~

~~(3)]~~ Has not been disciplined or investigated by the corresponding regulatory authority of the District of Columbia or any state or territory in which the applicant currently holds or has held a license as an occupational therapist; and

~~[(4)]~~ *(3)* Has not been held civilly or criminally liable for malpractice in the District of Columbia or any state or territory of the United States;

(b) An affidavit stating that the information contained in the application and any accompanying material is true and correct;

(c) A fee in the amount of the fee set by a regulation of the Board pursuant to NRS 640A.190 for the initial issuance of a license; and

(d) Any other information required by the Board.

3. Not later than 15 business days after receiving an application for a license by endorsement as an occupational therapist pursuant to this section, the Board shall provide written notice to the applicant of any additional information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board shall approve the application and issue a license by endorsement as an occupational therapist to the applicant not later than 45 days after receiving the application.

4. A license by endorsement as an occupational therapist may be issued at a meeting of the Board or between its meetings by the Chair of the Board. Such an action shall be deemed to be an action of the Board.

Sec. 60. NRS 640A.166 is hereby amended to read as follows:

640A.166 1. The Board may issue a license by endorsement as an occupational therapist to an applicant who meets the requirements set forth in this section. An applicant may submit to the Board an application for such a license if the applicant:

(a) Holds a corresponding valid and unrestricted license as an occupational therapist in the District of Columbia or any state or territory of the United States; and

(b) Is an active member of, or the spouse of an active member of, the Armed Forces of the United States, a veteran or the surviving spouse of a veteran.

2. An applicant for a license by endorsement pursuant to this section must submit to the Board with his or her application:

(a) Proof satisfactory to the Board that the applicant:

(1) Satisfies the requirements of subsection 1;

(2) ~~[Is a citizen of the United States or otherwise has the legal right to work in the United States;~~

~~(3)]~~ Has not been disciplined or investigated by the corresponding regulatory authority of the District of Columbia or the state or territory in which the applicant holds a license as an occupational therapist; and

~~[(4)]~~ *(3)* Has not been held civilly or criminally liable for malpractice in the District of Columbia or any state or territory of the United States;

(b) An affidavit stating that the information contained in the application and any accompanying material is true and correct;

(c) A fee in the amount set by a regulation of the Board pursuant to NRS 640A.190 for the initial issuance of a license; and

(d) Any other information required by the Board.

3. Not later than 15 business days after receiving an application for a license by endorsement as an occupational therapist pursuant to this section, the Board shall provide written notice to the applicant of any additional information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board shall approve the application and issue a license by endorsement as an occupational therapist to the applicant not later than 45 days after receiving all the additional information required by the Board to complete the application.

4. A license by endorsement as an occupational therapist may be issued at a meeting of the Board or between its meetings by the Chair of the Board. Such an action shall be deemed to be an action of the Board.

5. At any time before making a final decision on an application for a license by endorsement pursuant to this section, the Board may grant a provisional license authorizing an applicant to practice as an occupational therapist in accordance with regulations adopted by the Board.

6. As used in this section, "veteran" has the meaning ascribed to it in NRS 417.005.

Sec. 61. NRS 640B.310 is hereby amended to read as follows:

640B.310 1. An applicant for a license as an athletic trainer must:

(a) Be of good moral character;

(b) ~~[Be a citizen of the United States or lawfully entitled to remain and work in the United States;~~

~~(c)]~~ Have at least a bachelor's degree in a program of study approved by the Board;

~~[(d)]~~ *(c)* Submit an application on a form provided by the Board;

~~[(e)]~~ *(d)* Submit a complete set of fingerprints and written permission authorizing the Board to forward the fingerprints to the Central Repository for

Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report;

~~[(f)]~~ *(e)* Pay the fees prescribed by the Board pursuant to NRS 640B.410, which are not refundable; and

~~[(g)]~~ *(f)* Except as otherwise provided in subsection 2 and NRS 640B.320, pass the examination prepared by the National Athletic Trainers Association Board of Certification or its successor organization.

2. An applicant who submits proof of current certification as an athletic trainer by the National Athletic Trainers Association Board of Certification, or its successor organization, is not required to pass the examination required by paragraph ~~[(g)]~~ *(f)* of subsection 1.

3. An applicant who fails the examination may not reapply for a license for at least 1 year after the date on which the applicant submitted the application to the Board.

Sec. 62. NRS 640C.426 is hereby amended to read as follows:

640C.426 1. The Board may issue a license by endorsement to practice massage therapy, reflexology or structural integration to an applicant who meets the requirements set forth in this section. An applicant may submit to the Board an application for such a license if the applicant:

(a) Holds a corresponding valid and unrestricted license to practice massage therapy, reflexology or structural integration in the District of Columbia or any state or territory of the United States; and

(b) Is an active member of, or the spouse of an active member of, the Armed Forces of the United States, a veteran or the surviving spouse of a veteran.

2. An applicant for a license by endorsement pursuant to this section must submit to the Board with his or her application:

(a) Proof satisfactory to the Board that the applicant:

(1) Satisfies the requirements of subsection 1;

(2) ~~[Is a citizen of the United States or otherwise has the legal right to work in the United States;~~

~~(3)]~~ Has not been disciplined or investigated by the corresponding regulatory authority of the District of Columbia or the state or territory in which the applicant holds a license to practice massage therapy, reflexology or structural integration; and

~~[(4)]~~ *(3)* Has not been held civilly or criminally liable for malpractice in the District of Columbia or any state or territory of the United States;

(b) A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints in the manner provided in NRS 640C.400;

(c) An affidavit stating that the information contained in the application and any accompanying material is true and correct;

(d) The fees prescribed by the Board pursuant to NRS 640C.520 for the application for and initial issuance of a license; and

(e) Any other information required by the Board.

3. Not later than 15 business days after receiving an application for a license by endorsement to practice massage therapy, reflexology or structural

integration pursuant to this section, the Board shall provide written notice to the applicant of any additional information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board shall approve the application and issue a license by endorsement to practice massage therapy, reflexology or structural integration to the applicant not later than:

(a) Forty-five days after receiving all additional information required by the Board to complete the application; or

(b) Ten days after the Board receives a report on the applicant's background based on the submission of the applicant's fingerprints,

➥ whichever occurs later.

4. A license by endorsement to practice massage therapy, reflexology or structural integration may be issued at a meeting of the Board or between its meetings by the Chair and Executive Director of the Board. Such an action shall be deemed to be an action of the Board.

5. At any time before making a final decision on an application for a license by endorsement, the Board may grant a provisional license authorizing an applicant to practice as a massage therapist, reflexologist or structural integration practitioner in accordance with regulations adopted by the Board.

6. As used in this section, "veteran" has the meaning ascribed to it in NRS 417.005.

Sec. 63. NRS 641.170 is hereby amended to read as follows:

641.170 1. Except as otherwise provided in NRS 641.195 and 641.196, each application for licensure as a psychologist must be accompanied by evidence satisfactory to the Board that the applicant:

(a) Is at least 21 years of age.

(b) Is of good moral character as determined by the Board.

(c) ~~[Is a citizen of the United States, or is lawfully entitled to remain and work in the United States.~~

~~(d)]~~ Has earned a doctorate in psychology from an accredited educational institution approved by the Board, or has other doctorate-level training from an accredited educational institution deemed equivalent by the Board in both subject matter and extent of training.

~~[(e)]~~ *(d)* Has at least 2 years of experience satisfactory to the Board, 1 year of which must be postdoctoral experience in accordance with the requirements established by regulations of the Board.

2. Except as otherwise provided in NRS 641.195 and 641.196, within 120 days after receiving an application and the accompanying evidence from an applicant, the Board shall:

(a) Evaluate the application and accompanying evidence and determine whether the applicant is qualified pursuant to this section for licensure; and

(b) Issue a written statement to the applicant of its determination.

3. The written statement issued to the applicant pursuant to subsection 2 must include:

(a) If the Board determines that the qualifications of the applicant are insufficient for licensure, a detailed explanation of the reasons for that determination.

(b) If the applicant for licensure as a psychologist has not earned a doctorate in psychology from an accredited educational institution approved by the Board and the Board determines that the doctorate-level training from an accredited educational institution is not equivalent in subject matter and extent of training, a detailed explanation of the reasons for that determination.

Sec. 64. NRS 641.195 is hereby amended to read as follows:

641.195 1. The Board may issue a license by endorsement as a psychologist or behavior analyst to an applicant who meets the requirements set forth in this section. An applicant may submit to the Board an application for such a license if the applicant holds a corresponding valid and unrestricted license as a psychologist or behavior analyst, as applicable, in the District of Columbia or any state or territory of the United States.

2. An applicant for a license by endorsement pursuant to this section must submit to the Board with his or her application:

(a) Proof satisfactory to the Board that the applicant:

(1) Satisfies the requirements of subsection 1;

(2) ~~[Is a citizen of the United States or otherwise has the legal right to work in the United States;~~

~~(3)]~~ Has not been disciplined or investigated by the corresponding regulatory authority of the District of Columbia or any state or territory in which the applicant currently holds or has held a license as a psychologist or behavior analyst, as applicable; and

~~[(4)]~~ *(3)* Has not been held civilly or criminally liable for malpractice in the District of Columbia or any state or territory of the United States;

(b) A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints in the manner provided in NRS 641.160;

(c) An affidavit stating that the information contained in the application and any accompanying material is true and correct;

(d) The fee prescribed by the Board pursuant to NRS 641.228 for the issuance of an initial license; and

(e) Any other information required by the Board.

3. Not later than 15 business days after receiving an application for a license by endorsement as a psychologist or behavior analyst pursuant to this section, the Board shall provide written notice to the applicant of any additional information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board shall approve the application and issue a license by endorsement as a psychologist or behavior analyst, as applicable, to the applicant not later than:

(a) Forty-five days after receiving the application; or

(b) Ten days after the Board receives a report on the applicant's background based on the submission of the applicant's fingerprints,

➥ whichever occurs later.

4. A license by endorsement as a psychologist or behavior analyst may be issued at a meeting of the Board or between its meetings by the President of the Board. Such an action shall be deemed to be an action of the Board.

Sec. 65. NRS 641.196 is hereby amended to read as follows:

641.196 1. The Board may issue a license by endorsement as a psychologist or behavior analyst to an applicant who meets the requirements set forth in this section. An applicant may submit to the Board an application for such a license if the applicant:

(a) Holds a corresponding valid and unrestricted license as a psychologist or behavior analyst, as applicable, in the District of Columbia or any state or territory of the United States; and

(b) Is an active member of, or the spouse of an active member of, the Armed Forces of the United States, a veteran or the surviving spouse of a veteran.

2. An applicant for a license by endorsement pursuant to this section must submit to the Board with his or her application:

(a) Proof satisfactory to the Board that the applicant:

(1) Satisfies the requirements of subsection 1;

(2) ~~[Is a citizen of the United States or otherwise has the legal right to work in the United States;~~

~~(3)]~~ Has not been disciplined or investigated by the corresponding regulatory authority of the District of Columbia or the state or territory in which the applicant holds a license as a psychologist or behavior analyst, as applicable; and

~~[(4)]~~ *(3)* Has not been held civilly or criminally liable for malpractice in the District of Columbia or any state or territory of the United States;

(b) A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints in the manner provided in NRS 641.160;

(c) An affidavit stating that the information contained in the application and any accompanying material is true and correct;

(d) The fee prescribed by the Board pursuant to NRS 641.228 for the issuance of an initial license; and

(e) Any other information required by the Board.

3. Not later than 15 business days after receiving an application for a license by endorsement as a psychologist or behavior analyst pursuant to this section, the Board shall provide written notice to the applicant of any additional information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board shall approve the application and issue a license by endorsement as a psychologist or behavior analyst, as applicable, to the applicant not later than:

(a) Forty-five days after receiving all the additional information required by the Board to complete the application; or

(b) Ten days after the Board receives a report on the applicant's background based on the submission of the applicant's fingerprints,

➥ whichever occurs later.

4. A license by endorsement as a psychologist or behavior analyst may be issued at a meeting of the Board or between its meetings by the President of the Board. Such an action shall be deemed to be an action of the Board.

5. At any time before making a final decision on an application for a license by endorsement pursuant to this section, the Board may grant a provisional license authorizing an applicant to practice as a psychologist or behavior analyst, as applicable, in accordance with regulations adopted by the Board.

6. As used in this section, "veteran" has the meaning ascribed to it in NRS 417.005.

Sec. 66. NRS 641.226 is hereby amended to read as follows:

641.226 1. A person who wishes to obtain any postdoctoral supervised experience that is required for licensure as a psychologist pursuant to paragraph ~~[(e)]~~ *(d)* of subsection 1 of NRS 641.170 must register with the Board as a psychological assistant.

2. A person who:

(a) Is in a doctoral training program in psychology at an accredited educational institution approved by the Board or in doctorate-level training from an accredited educational institution deemed equivalent by the Board in both subject matter and extent of training; and

(b) Wishes to engage in a predoctoral internship pursuant to the requirements of the training program,

➥ may register with the Board as a psychological intern.

3. A person who:

(a) Is in a doctoral training program in psychology at an accredited educational institution approved by the Board or in doctorate-level training from an accredited educational institution deemed equivalent by the Board in both subject matter and extent of training; and

(b) Wishes to perform professional activities or services under the supervision of a psychologist,

➥ may register with the Board as a psychological trainee.

4. A person desiring to register as a psychological assistant, psychological intern or psychological trainee must:

(a) Make application to the Board on a form, and in a manner, prescribed by the Board. The application must be accompanied by the application fee prescribed by the Board and include all information required to complete the application.

(b) As part of the application and at his or her own expense:

(1) Arrange to have a complete set of fingerprints taken by a law enforcement agency or other authorized entity acceptable to the Board; and

(2) Submit to the Board:

(I) A complete set of fingerprints, a fee for the processing of fingerprints established by the Board and written permission authorizing the Board to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of

Investigation for a report on the applicant's background, and to such other law enforcement agencies as the Board deems necessary for a report on the applicant's background; or

(II) Written verification, on a form prescribed by the Board, stating that the set of fingerprints of the applicant was taken and directly forwarded electronically or by other means to the Central Repository for Nevada Records of Criminal History and that the applicant provided written permission authorizing the law enforcement agency or other authorized entity taking the fingerprints to submit the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for a report on the applicant's background, and to such other law enforcement agencies as the Board deems necessary for a report on the applicant's background.

5. The Board may:

(a) Unless the applicant's fingerprints are directly forwarded pursuant to sub-subparagraph (II) of subparagraph (2) of paragraph (b) of subsection 4, submit those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation and to such other law enforcement agencies as the Board deems necessary; and

(b) Request from each agency to which the Board submits the fingerprints any information regarding the applicant's background as the Board deems necessary.

6. An application for initial registration as a psychological assistant, psychological intern or psychological trainee is not considered complete and received until the Board receives a complete set of fingerprints or verification that the fingerprints have been forwarded electronically or by other means to the Central Repository for Nevada Records of Criminal History, and written authorization from the applicant pursuant to this section.

7. A registration as a:

(a) Psychological assistant expires 1 year after the date of registration unless the registration is renewed pursuant to subsection 8. A registration as a psychological assistant may not be renewed if the renewal would cause the psychological assistant to be registered as a psychological assistant for more than 3 years unless otherwise approved by the Board.

(b) Psychological intern expires 2 years after the date of registration and may not be renewed unless otherwise approved by the Board.

(c) Psychological trainee expires 2 years after the date of registration unless the registration is renewed pursuant to subsection 8. A registration as a psychological trainee may not be renewed if the renewal would cause the psychological trainee to be registered as a psychological trainee for more than 5 years unless otherwise approved by the Board.

8. To renew a registration as a psychological assistant, psychological intern or psychological trainee, the registrant must, on or before the expiration of the registration:

(a) Apply to the Board for renewal;

(b) Pay the fee prescribed by the Board pursuant to NRS 641.228 for the renewal of a registration as a psychological assistant, psychological intern or psychological trainee; and

(c) Submit all information required to complete the renewal.

9. Any activity or service performed by a psychological assistant, psychological intern or psychological trainee must be performed under the supervision of a psychologist in accordance with regulations adopted by the Board.

Sec. 67. NRS 641A.220 is hereby amended to read as follows:

641A.220 Except as otherwise provided in NRS 641A.241 and 641A.242, each applicant for a license to practice as a marriage and family therapist must furnish evidence satisfactory to the Board that the applicant:

1. Is at least 21 years of age;

2. Is of good moral character;

3. ~~[Is a citizen of the United States, or is lawfully entitled to remain and work in the United States;~~

~~4.]~~ Has completed residency training in psychiatry from an accredited institution approved by the Board, has a graduate degree in marriage and family therapy, psychology or social work from an accredited institution approved by the Board or has completed other education and training which is deemed equivalent by the Board;

~~[5.]~~ *4.* Has:

(a) At least 2 years of postgraduate experience in marriage and family therapy; and

(b) At least 3,000 hours of supervised experience in marriage and family therapy, of which at least 1,500 hours must consist of direct contact with clients; and

~~[6.]~~ *5.* Holds an undergraduate degree from an accredited institution approved by the Board.

Sec. 68. NRS 641A.231 is hereby amended to read as follows:

641A.231 Except as otherwise provided in NRS 641A.241 and 641A.242, each applicant for a license to practice as a clinical professional counselor must furnish evidence satisfactory to the Board that the applicant:

1. Is at least 21 years of age;

2. Is of good moral character;

3. ~~[Is a citizen of the United States, or is lawfully entitled to remain and work in the United States;~~

~~4.]~~ Has:

(a) Completed residency training in psychiatry from an accredited institution approved by the Board;

(b) A graduate degree from a program approved by the Council for Accreditation of Counseling and Related Educational Programs as a program in mental health counseling or community counseling; or

(c) An acceptable degree as determined by the Board which includes the completion of a practicum and internship in mental health counseling which

was taken concurrently with the degree program and was supervised by a licensed mental health professional; and

~~[5.]~~ *4.* Has:

(a) At least 2 years of postgraduate experience in professional counseling;

(b) At least 3,000 hours of supervised experience in professional counseling which includes, without limitation:

(1) At least 1,500 hours of direct contact with clients; and

(2) At least 100 hours of counseling under the direct supervision of an approved supervisor of which at least 1 hour per week was completed for each work setting at which the applicant provided counseling; and

(c) Passed the National Clinical Mental Health Counseling Examination which is administered by the National Board for Certified Counselors.

Sec. 69. NRS 641A.241 is hereby amended to read as follows:

641A.241 1. The Board may issue a license by endorsement to practice as a marriage and family therapist or clinical professional counselor to an applicant who meets the requirements set forth in this section. An applicant may submit to the Board an application for such a license if the applicant holds a corresponding valid and unrestricted license as a marriage and family therapist or clinical professional counselor, as applicable, in the District of Columbia or any state or territory of the United States.

2. An applicant for a license by endorsement pursuant to this section must submit to the Board with his or her application:

(a) Proof satisfactory to the Board that the applicant:

(1) Satisfies the requirements of subsection 1;

(2) ~~[Is a citizen of the United States or otherwise has the legal right to work in the United States;~~

~~(3)]~~ Has not been disciplined or investigated by the corresponding regulatory authority of the District of Columbia or any state or territory in which the applicant currently holds or has held a license as a marriage and family therapist or clinical professional counselor, as applicable; and

~~[(4)]~~ *(3)* Has not been held civilly or criminally liable for malpractice in the District of Columbia or any state or territory of the United States;

(b) An affidavit stating that the information contained in the application and any accompanying material is true and correct;

(c) The fees prescribed by the Board pursuant to NRS 641A.290 for the application for and initial issuance of a license; and

(d) Any other information required by the Board.

3. Not later than 15 business days after receiving an application for a license by endorsement to practice as a marriage and family therapist or clinical professional counselor pursuant to this section, the Board shall provide written notice to the applicant of any additional information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board shall approve the application and issue a license by endorsement to practice as a marriage and family therapist or clinical

professional counselor, as applicable, to the applicant not later than 45 days after receiving the application.

4. A license by endorsement to practice as a marriage and family therapist or clinical professional counselor may be issued at a meeting of the Board or between its meetings by the President of the Board. Such an action shall be deemed to be an action of the Board.

Sec. 70. NRS 641A.242 is hereby amended to read as follows:

641A.242 1. The Board may issue a license by endorsement to practice as a marriage and family therapist or clinical professional counselor to an applicant who meets the requirements set forth in this section. An applicant may submit to the Board an application for such a license if the applicant:

(a) Holds a corresponding valid and unrestricted license as a marriage and family therapist or clinical professional counselor, as applicable, in the District of Columbia or any state or territory of the United States; and

(b) Is an active member of, or the spouse of an active member of, the Armed Forces of the United States, a veteran or the surviving spouse of a veteran.

2. An applicant for a license by endorsement pursuant to this section must submit to the Board with his or her application:

(a) Proof satisfactory to the Board that the applicant:

(1) Satisfies the requirements of subsection 1;

(2) ~~[Is a citizen of the United States or otherwise has the legal right to work in the United States;~~

~~(3)]~~ Has not been disciplined or investigated by the corresponding regulatory authority of the District of Columbia or the state or territory in which the applicant holds a license as a marriage and family therapist or clinical professional counselor, as applicable; and

~~[(4)]~~ *(3)* Has not been held civilly or criminally liable for malpractice in the District of Columbia or any state or territory of the United States;

(b) An affidavit stating that the information contained in the application and any accompanying material is true and correct;

(c) The fees prescribed by the Board pursuant to NRS 641A.290 for the application for and initial issuance of a license; and

(d) Any other information required by the Board.

3. Not later than 15 business days after receiving an application for a license by endorsement to practice as a marriage and family therapist or clinical professional counselor pursuant to this section, the Board shall provide written notice to the applicant of any additional information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board shall approve the application and issue a license by endorsement to practice as a marriage and family therapist or clinical professional counselor, as applicable, to the applicant not later than 45 days after receiving all the additional information required by the Board to complete the application.

4. A license by endorsement to practice as a marriage and family therapist or clinical professional counselor may be issued at a meeting of the Board or

between its meetings by the President of the Board. Such an action shall be deemed to be an action of the Board.

5. At any time before making a final decision on an application for a license by endorsement pursuant to this section, the Board may grant a provisional license authorizing an applicant to practice as a marriage and family therapist or clinical professional counselor, as applicable, in accordance with regulations adopted by the Board.

6. As used in this section, "veteran" has the meaning ascribed to it in NRS 417.005.

Sec. 71. NRS 641A.287 is hereby amended to read as follows:

641A.287 1. A person who wishes to obtain the supervised experience that is required for licensure as a marriage and family therapist pursuant to this chapter must obtain a license as a marriage and family therapist intern before beginning the supervised experience.

2. An applicant for a license as a marriage and family therapist intern must furnish evidence satisfactory to the Board that the applicant:

(a) Is at least 21 years of age;

(b) Is of good moral character;

(c) ~~[Is a citizen of the United States, or is lawfully entitled to remain and work in the United States;~~

~~(d)]~~ Possesses a graduate degree in marriage and family therapy, psychology or social work from an accredited institution approved by the Board or has completed other education and training which is deemed equivalent by the Board; and

~~[(e)]~~ *(d)* Has entered into a supervision agreement with an approved supervisor.

Sec. 72. NRS 641A.2874 is hereby amended to read as follows:

641A.2874 The holder of a license as a marriage and family therapist intern:

1. May engage in the practice of marriage and family therapy only for the purposes of obtaining the supervised experience required by subsection ~~[5]~~ *4* of NRS 641A.220 for a license to practice as a marriage and family therapist; and

2. Shall not engage in the practice of marriage and family therapy independently.

Sec. 73. NRS 641A.288 is hereby amended to read as follows:

641A.288 1. A person who wishes to obtain the supervised experience that is required for licensure as a clinical professional counselor pursuant to this chapter must obtain a license as a clinical professional counselor intern before beginning the supervised experience.

2. An applicant for a license as a clinical professional counselor intern must furnish evidence satisfactory to the Board that the applicant:

(a) Is at least 21 years of age;

(b) Is of good moral character;

(c) ~~[Is a citizen of the United States, or is lawfully entitled to remain and work in the United States;~~

~~— (d)]~~ Possesses a graduate degree in counseling from an accredited college or university approved by the Board which required the completion of a practicum or internship; and

~~[(e)]~~ *(d)* Has entered into a supervision agreement with an approved supervisor.

Sec. 74. NRS 641A.2884 is hereby amended to read as follows:

641A.2884 The holder of a license as a clinical professional counselor intern:

1. May engage in the practice of clinical professional counseling only for the purposes of obtaining the supervised experience required by subsection ~~[5]~~ *4* of NRS 641A.231 for a license to practice as a clinical professional counselor; and

2. Shall not engage in the practice of clinical professional counseling independently.

Sec. 75. NRS 641B.200 is hereby amended to read as follows:

641B.200 Each applicant for a license shall furnish evidence satisfactory to the Board that the applicant is ~~[:~~

~~— 1. At]~~ *at* least 21 years of age.

~~[2. A citizen of the United States, or is lawfully entitled to remain and work in the United States.]~~

Sec. 76. NRS 641B.271 is hereby amended to read as follows:

641B.271 1. The Board may issue a license by endorsement to engage in social work to an applicant who meets the requirements set forth in this section. An applicant may submit to the Board an application for such a license if the applicant holds a corresponding valid and unrestricted license to engage in social work in the District of Columbia or any state or territory of the United States.

2. An applicant for a license by endorsement pursuant to this section must submit to the Board with his or her application:

(a) Proof satisfactory to the Board that the applicant:

(1) Satisfies the requirements of subsection 1;

(2) ~~[Is a citizen of the United States or otherwise has the legal right to work in the United States;~~

~~— (3)]~~ Has not been disciplined or investigated by the corresponding regulatory authority of the District of Columbia or any state or territory in which the applicant currently holds or has held a license to engage in social work;

~~[(4)]~~ *(3)* Has not been held civilly or criminally liable for malpractice in the District of Columbia or any state or territory of the United States; and

~~[(5)]~~ *(4)* Has been continuously and actively engaged in social work for the past 5 years;

(b) A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints in the manner provided in NRS 641B.202;

(c) An affidavit stating that the information contained in the application and any accompanying material is true and correct; and

(d) Any other information required by the Board.

3. Not later than 15 business days after receiving an application for a license by endorsement to engage in social work pursuant to this section, the Board shall provide written notice to the applicant of any additional information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board shall approve the application and issue a license by endorsement to engage in social work to the applicant not later than:

(a) Forty-five days after receiving the application; or

(b) Ten days after the Board receives a report on the applicant's background based on the submission of the applicant's fingerprints,

➥ whichever occurs later.

4. A license by endorsement to engage in social work may be issued at a meeting of the Board or between its meetings by the President of the Board. Such an action shall be deemed to be an action of the Board.

Sec. 77. NRS 641B.272 is hereby amended to read as follows:

641B.272 1. The Board may issue a license by endorsement to engage in social work to an applicant who meets the requirements set forth in this section. An applicant may submit to the Board an application for such a license if the applicant:

(a) Holds a corresponding valid and unrestricted license to engage in social work in the District of Columbia or any state or territory of the United States; and

(b) Is an active member of, or the spouse of an active member of, the Armed Forces of the United States, a veteran or the surviving spouse of a veteran.

2. An applicant for a license by endorsement pursuant to this section must submit to the Board with his or her application:

(a) Proof satisfactory to the Board that the applicant:

(1) Satisfies the requirements of subsection 1;

(2) ~~[Is a citizen of the United States or otherwise has the legal right to work in the United States;~~

~~(3)]~~ Has not been disciplined or investigated by the corresponding regulatory authority of the District of Columbia or the state or territory in which the applicant holds a license to engage in social work;

~~[(4)]~~ *(3)* Has not been held civilly or criminally liable for malpractice in the District of Columbia or any state or territory of the United States; and

~~[(5)]~~ *(4)* Is currently engaged in social work under the license held required by paragraph (a) of subsection 1;

(b) A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints in the manner provided in NRS 641B.202;

(c) An affidavit stating that the information contained in the application and any accompanying material is true and correct; and

(d) Any other information required by the Board.

3. Not later than 15 business days after receiving an application for a license by endorsement to engage in social work pursuant to this section, the Board shall provide written notice to the applicant of any additional information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board shall approve the application and issue a license by endorsement to engage in social work to the applicant not later than:

(a) Forty-five days after receiving all the additional information required by the Board to complete the application; or

(b) Ten days after the Board receives a report on the applicant's background based on the submission of the applicant's fingerprints,

➥ whichever occurs later.

4. A license by endorsement to engage in social work may be issued at a meeting of the Board or between its meetings by the President of the Board. Such an action shall be deemed to be an action of the Board.

5. At any time before making a final decision on an application for a license by endorsement pursuant to this section, the Board may grant a provisional license authorizing an applicant to engage in social work in accordance with regulations adopted by the Board.

6. As used in this section, "veteran" has the meaning ascribed to it in NRS 417.005.

Sec. 78. NRS 641C.150 is hereby amended to read as follows:

641C.150 1. The Board of Examiners for Alcohol, Drug and Gambling Counselors, consisting of seven members appointed by the Governor, is hereby created.

2. The Board must consist of:

(a) Three members who are licensed as clinical alcohol and drug abuse counselors or alcohol and drug abuse counselors pursuant to the provisions of this chapter.

(b) One member who is certified as an alcohol and drug abuse counselor pursuant to the provisions of this chapter.

(c) Two members who are licensed pursuant to chapter 630, 632, 641, 641A or 641B of NRS and certified as problem gambling counselors pursuant to the provisions of this chapter.

(d) One member who is a representative of the general public. This member must not be:

(1) A licensed clinical alcohol and drug abuse counselor or a licensed or certified alcohol and drug abuse counselor or a certified problem gambling counselor; or

(2) The spouse or the parent or child, by blood, marriage or adoption, of a licensed clinical alcohol and drug abuse counselor or a licensed or certified alcohol and drug abuse counselor or a certified problem gambling counselor.

3. A person may not be appointed to the Board unless he or she is ~~[:~~

~~(a) A citizen of the United States or is lawfully entitled to remain and work in the United States; and~~

~~(b) A~~ *a* resident of this State.

4. No member of the Board may be held liable in a civil action for any act that he or she performs in good faith in the execution of his or her duties pursuant to the provisions of this chapter.

Sec. 79. NRS 641C.330 is hereby amended to read as follows:

641C.330 The Board shall issue a license as a clinical alcohol and drug abuse counselor to:

1. A person who:

(a) Is not less than 21 years of age;

(b) ~~Is a citizen of the United States or is lawfully entitled to remain and work in the United States;~~

~~(c)~~ Has received a master's degree or a doctoral degree from an accredited college or university in a field of social science approved by the Board that includes comprehensive course work in clinical mental health, including the diagnosis of mental health disorders;

~~(d)~~ *(c)* Has completed a program approved by the Board consisting of at least 2,000 hours of supervised, postgraduate counseling of alcohol and drug abusers;

~~(e)~~ *(d)* Has completed a program that:

(1) Is approved by the Board; and

(2) Consists of at least 2,000 hours of postgraduate counseling of persons with mental illness who are also alcohol and drug abusers that is supervised by a licensed clinical alcohol and drug abuse counselor who is approved by the Board;

~~(f)~~ *(e)* Passes the written and oral examinations prescribed by the Board pursuant to NRS 641C.290;

~~(g)~~ *(f)* Pays the fees required pursuant to NRS 641C.470; and

~~(h)~~ *(g)* Submits all information required to complete an application for a license.

2. A person who:

(a) Is not less than 21 years of age;

(b) ~~Is a citizen of the United States or is lawfully entitled to remain and work in the United States;~~

~~(c)~~ Is:

(1) Licensed as a clinical social worker pursuant to chapter 641B of NRS;

(2) Licensed as a marriage and family therapist pursuant to chapter 641A of NRS; or

(3) A nurse who is licensed pursuant to chapter 632 of NRS and has received a master's degree or a doctoral degree from an accredited college or university;

~~(d)~~ *(c)* Has completed at least 6 months of supervised counseling of alcohol and drug abusers approved by the Board;

~~(e)~~ *(d)* Passes the written and oral examinations prescribed by the Board pursuant to NRS 641C.290;

~~(f)~~ *(e)* Pays the fees required pursuant to NRS 641C.470; and

~~[(g)]~~ *(f)* Submits all the information required to complete an application for a license.

Sec. 80. NRS 641C.3305 is hereby amended to read as follows:

641C.3305 1. The Board may issue a license by endorsement as a clinical alcohol and drug abuse counselor to an applicant who meets the requirements set forth in this section. An applicant may submit to the Board an application for such a license if the applicant holds a corresponding valid and unrestricted license as a clinical alcohol and drug abuse counselor in the District of Columbia or any state or territory of the United States.

2. An applicant for a license by endorsement pursuant to this section must submit to the Board with his or her application:

(a) Proof satisfactory to the Board that the applicant:

(1) Satisfies the requirements of subsection 1;

(2) ~~[Is a citizen of the United States or otherwise has the legal right to work in the United States;~~

~~(3)]~~ Has not been disciplined or investigated by the corresponding regulatory authority of the District of Columbia or any state or territory in which the applicant currently holds or has held a license as a clinical alcohol and drug abuse counselor; and

~~[(4)]~~ *(3)* Has not been held civilly or criminally liable for malpractice in the District of Columbia or any state or territory of the United States;

(b) A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints in the manner provided in NRS 641C.260;

(c) An affidavit stating that the information contained in the application and any accompanying material is true and correct;

(d) The fees prescribed by the Board pursuant to NRS 641C.470 for the initial application for and issuance of an initial license; and

(e) Any other information required by the Board.

3. Not later than 15 business days after receiving an application for a license by endorsement as a clinical alcohol and drug abuse counselor pursuant to this section, the Board shall provide written notice to the applicant of any additional information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board shall approve the application and issue a license by endorsement as a clinical alcohol and drug abuse counselor to the applicant not later than:

(a) Forty-five days after receiving the application; or

(b) Ten days after the Board receives a report on the applicant's background based on the submission of the applicant's fingerprints,

➥ whichever occurs later.

4. A license by endorsement as a clinical alcohol and drug abuse counselor may be issued at a meeting of the Board or between its meetings by the President of the Board. Such an action shall be deemed to be an action of the Board.

Sec. 81. NRS 641C.3306 is hereby amended to read as follows:

641C.3306 1. The Board may issue a license by endorsement as a

clinical alcohol and drug abuse counselor to an applicant who meets the requirements set forth in this section. An applicant may submit to the Board an application for such a license if the applicant:

(a) Holds a corresponding valid and unrestricted license as a clinical alcohol and drug abuse counselor in the District of Columbia or any state or territory of the United States; and

(b) Is an active member of, or the spouse of an active member of, the Armed Forces of the United States, a veteran or the surviving spouse of a veteran.

2. An applicant for a license by endorsement pursuant to this section must submit to the Board with his or her application:

(a) Proof satisfactory to the Board that the applicant:

(1) Satisfies the requirements of subsection 1;

(2) ~~[Is a citizen of the United States or otherwise has the legal right to work in the United States;~~

~~(3)]~~ Has not been disciplined or investigated by the corresponding regulatory authority of the District of Columbia or the state or territory in which the applicant holds a license as a clinical alcohol and drug abuse counselor; and

~~[(4)]~~ *(3)* Has not been held civilly or criminally liable for malpractice in the District of Columbia or any state or territory of the United States;

(b) A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints in the manner provided in NRS 641C.260;

(c) An affidavit stating that the information contained in the application and any accompanying material is true and correct;

(d) The fees prescribed by the Board pursuant to NRS 641C.470 for the initial application for and issuance of an initial license; and

(e) Any other information required by the Board.

3. Not later than 15 business days after receiving an application for a license by endorsement as a clinical alcohol and drug abuse counselor pursuant to this section, the Board shall provide written notice to the applicant of any additional information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board shall approve the application and issue a license by endorsement as a clinical alcohol and drug abuse counselor to the applicant not later than:

(a) Forty-five days after receiving all the additional information required by the Board to complete the application; or

(b) Ten days after the Board receives a report on the applicant's background based on the submission of the applicant's fingerprints,

➥ whichever occurs later.

4. A license by endorsement as a clinical alcohol and drug abuse counselor may be issued at a meeting of the Board or between its meetings by the President of the Board. Such an action shall be deemed to be an action of the Board.

5. At any time before making a final decision on an application for a license by endorsement pursuant to this section, the Board may grant a

provisional license authorizing an applicant to practice as a clinical alcohol and drug abuse counselor in accordance with regulations adopted by the Board.

6. As used in this section, "veteran" has the meaning ascribed to it in NRS 417.005.

Sec. 82. NRS 641C.340 is hereby amended to read as follows:

641C.340 1. The Board shall issue a certificate as a clinical alcohol and drug abuse counselor intern to a person who:

(a) Is not less than 21 years of age;

(b) ~~[Is a citizen of the United States or is lawfully entitled to remain and work in the United States;~~

~~— (c)]~~ Pays the fees required pursuant to NRS 641C.470;

~~[(d)]~~ *(c)* Submits proof to the Board that the person has received a master's degree or doctoral degree in a field of social science approved by the Board that includes comprehensive course work in clinical mental health, including the diagnosis of mental health disorders; and

~~[(e)]~~ *(d)* Submits all the information required to complete an application for a certificate.

2. A certificate as a clinical alcohol and drug abuse counselor intern is valid for 6 months and may be renewed. The Board may waive any requirement for the renewal of a certificate upon good cause shown by the holder of the certificate.

3. A certified clinical alcohol and drug abuse counselor intern may, under the supervision of a licensed clinical alcohol and drug abuse counselor:

(a) Engage in the clinical practice of counseling alcohol and drug abusers; and

(b) Diagnose or classify a person as an alcoholic or drug abuser.

Sec. 83. NRS 641C.350 is hereby amended to read as follows:

641C.350 The Board shall issue a license as an alcohol and drug abuse counselor to:

1. A person who:

(a) Is not less than 21 years of age;

(b) ~~[Is a citizen of the United States or is lawfully entitled to remain and work in the United States;~~

~~— (c)]~~ Has received a master's degree or a doctoral degree from an accredited college or university in a field of social science approved by the Board;

~~[(d)]~~ *(c)* Has completed 4,000 hours of supervised counseling of alcohol and drug abusers;

~~[(e)]~~ *(d)* Passes the written and oral examinations prescribed by the Board pursuant to NRS 641C.290;

~~[(f)]~~ *(e)* Pays the fees required pursuant to NRS 641C.470; and

~~[(g)]~~ *(f)* Submits all information required to complete an application for a license.

2. A person who:

(a) Is not less than 21 years of age;

(b) ~~[Is a citizen of the United States or is lawfully entitled to remain and work in the United States;~~

~~(c)]~~ Is:

(1) Licensed as a clinical social worker pursuant to chapter 641B of NRS;

(2) Licensed as a clinical professional counselor pursuant to chapter 641A of NRS;

(3) Licensed as a marriage and family therapist pursuant to chapter 641A of NRS;

(4) A nurse who is licensed pursuant to chapter 632 of NRS and has received a master's degree or a doctoral degree from an accredited college or university; or

(5) Licensed as a clinical alcohol and drug abuse counselor pursuant to this chapter;

~~[(d)]~~ *(c)* Has completed 1,000 hours of supervised counseling of alcohol and drug abusers approved by the Board;

~~[(e)]~~ *(d)* Passes the written and oral examinations prescribed by the Board pursuant to NRS 641C.290;

~~[(f)]~~ *(e)* Pays the fees required pursuant to NRS 641C.470; and

~~[(g)]~~ *(f)* Submits all information required to complete an application for a license.

Sec. 84. NRS 641C.355 is hereby amended to read as follows:

641C.355 1. The Board may issue a license by endorsement as an alcohol and drug abuse counselor to an applicant who meets the requirements set forth in this section. An applicant may submit to the Board an application for such a license if the applicant holds a corresponding valid and unrestricted license as an alcohol and drug abuse counselor in the District of Columbia or any state or territory of the United States.

2. An applicant for a license by endorsement pursuant to this section must submit to the Board with his or her application:

(a) Proof satisfactory to the Board that the applicant:

(1) Satisfies the requirements of subsection 1;

(2) ~~[Is a citizen of the United States or otherwise has the legal right to work in the United States;~~

~~(3)]~~ Has not been disciplined or investigated by the corresponding regulatory authority of the District of Columbia or any state or territory in which the applicant currently holds or has held a license as an alcohol and drug abuse counselor; and

~~[(4)]~~ *(3)* Has not been held civilly or criminally liable for malpractice in the District of Columbia or any state or territory of the United States;

(b) A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints in the manner provided in NRS 641C.260;

(c) An affidavit stating that the information contained in the application and any accompanying material is true and correct;

(d) The fees prescribed by the Board pursuant to NRS 641C.470 for the initial application for and issuance of an initial license; and

(e) Any other information required by the Board.

3. Not later than 15 business days after receiving an application for a license by endorsement as an alcohol and drug abuse counselor pursuant to this section, the Board shall provide written notice to the applicant of any additional information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board shall approve the application and issue a license by endorsement as an alcohol and drug abuse counselor to the applicant not later than:

(a) Forty-five days after receiving the application; or

(b) Ten days after the Board receives a report on the applicant's background based on the submission of the applicant's fingerprints,

➥ whichever occurs later.

4. A license by endorsement as an alcohol and drug abuse counselor may be issued at a meeting of the Board or between its meetings by the President of the Board. Such an action shall be deemed to be an action of the Board.

Sec. 85. NRS 641C.356 is hereby amended to read as follows:

641C.356 1. The Board may issue a license by endorsement as an alcohol and drug abuse counselor to an applicant who meets the requirements set forth in this section. An applicant may submit to the Board an application for such a license if the applicant:

(a) Holds a corresponding valid and unrestricted license as an alcohol and drug abuse counselor in the District of Columbia or any state or territory of the United States; and

(b) Is an active member of, or the spouse of an active member of, the Armed Forces of the United States, a veteran or the surviving spouse of a veteran.

2. An applicant for a license by endorsement pursuant to this section must submit to the Board with his or her application:

(a) Proof satisfactory to the Board that the applicant:

(1) Satisfies the requirements of subsection 1;

(2) ~~[Is a citizen of the United States or otherwise has the legal right to work in the United States;~~

~~(3)]~~ Has not been disciplined or investigated by the corresponding regulatory authority of the District of Columbia or the state or territory in which the applicant holds a license as an alcohol and drug abuse counselor; and

~~[(4)]~~ *(3)* Has not been held civilly or criminally liable for malpractice in the District of Columbia or any state or territory of the United States;

(b) A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints in the manner provided in NRS 641C.260;

(c) An affidavit stating that the information contained in the application and any accompanying material is true and correct;

(d) The fees prescribed by the Board pursuant to NRS 641C.470 for the initial application for and issuance of an initial license; and

(e) Any other information required by the Board.

3. Not later than 15 business days after receiving an application for a license by endorsement as an alcohol and drug abuse counselor pursuant to this section, the Board shall provide written notice to the applicant of any additional information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board shall approve the application and issue a license by endorsement as an alcohol and drug abuse counselor to the applicant not later than:

(a) Forty-five days after receiving all the additional information required by the Board to complete the application; or

(b) Ten days after the Board receives a report on the applicant's background based on the submission of the applicant's fingerprints,

➥ whichever occurs later.

4. A license by endorsement as an alcohol and drug abuse counselor may be issued at a meeting of the Board or between its meetings by the President of the Board. Such an action shall be deemed to be an action of the Board.

5. At any time before making a final decision on an application for a license by endorsement pursuant to this section, the Board may grant a provisional license authorizing an applicant to practice as an alcohol and drug abuse counselor in accordance with regulations adopted by the Board.

6. As used in this section, "veteran" has the meaning ascribed to it in NRS 417.005.

Sec. 86. NRS 641C.390 is hereby amended to read as follows:

641C.390 1. The Board shall issue a certificate as an alcohol and drug abuse counselor to a person who:

(a) Is not less than 21 years of age;

(b) ~~[Is a citizen of the United States or is lawfully entitled to remain and work in the United States;~~

~~(c)]~~ Except as otherwise provided in subsection 2, has received a bachelor's degree from an accredited college or university in a field of social science approved by the Board;

~~[(d)]~~ *(c)* Has completed 4,000 hours of supervised counseling of alcohol and drug abusers;

~~[(e)]~~ *(d)* Passes the written and oral examinations prescribed by the Board pursuant to NRS 641C.290;

~~[(f)]~~ *(e)* Pays the fees required pursuant to NRS 641C.470; and

~~[(g)]~~ *(f)* Submits all information required to complete an application for a certificate.

2. The Board may waive the educational requirement set forth in paragraph ~~[(c)]~~ *(b)* of subsection 1 if an applicant for a certificate has contracted with or receives a grant from the Federal Government to provide services as an alcohol and drug abuse counselor to persons who are authorized to receive those services pursuant to 25 U.S.C. §§ 5301 et seq. or 25 U.S.C. §§ 1601 et seq. An alcohol and drug abuse counselor certified pursuant to this section for whom the educational requirement set forth in paragraph ~~[(c)]~~ *(b)* of subsection 1 is waived may provide services as an alcohol and drug abuse

counselor only to those persons who are authorized to receive those services pursuant to 25 U.S.C. §§ 5301 et seq. or 25 U.S.C. §§ 1601 et seq.

3. A certificate as an alcohol and drug abuse counselor is valid for 2 years and may be renewed.

4. A certified alcohol and drug abuse counselor may:

(a) Engage in the practice of counseling alcohol and drug abusers;

(b) Diagnose or classify a person as an alcoholic or abuser of drugs; and

(c) If the certified alcohol and drug abuse counselor has been certified for at least 3 years and meets any other requirements prescribed by regulation of the Board for the supervision of interns, supervise certified alcohol and drug abuse counselor interns.

Sec. 87. NRS 641C.395 is hereby amended to read as follows:

641C.395 1. The Board may issue a certificate by endorsement as an alcohol and drug abuse counselor to an applicant who meets the requirements set forth in this section. An applicant may submit to the Board an application for such a certificate if the applicant holds a corresponding valid and unrestricted certificate as an alcohol and drug abuse counselor in the District of Columbia or any state or territory of the United States.

2. An applicant for a certificate by endorsement pursuant to this section must submit to the Board with his or her application:

(a) Proof satisfactory to the Board that the applicant:

(1) Satisfies the requirements of subsection 1;

(2) ~~[Is a citizen of the United States or otherwise has the legal right to work in the United States;~~

~~(3)]~~ Has not been disciplined or investigated by the corresponding regulatory authority of the District of Columbia or any state or territory in which the applicant currently holds or has held a certificate as an alcohol and drug abuse counselor; and

~~[(4)]~~ *(3)* Has not been held civilly or criminally liable for malpractice in the District of Columbia or any state or territory of the United States;

(b) A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints in the manner provided in NRS 641C.260;

(c) An affidavit stating that the information contained in the application and any accompanying material is true and correct;

(d) The fees prescribed by the Board pursuant to NRS 641C.470 for the initial application for and issuance of an initial certificate; and

(e) Any other information required by the Board.

3. Not later than 15 business days after receiving an application for a certificate by endorsement as an alcohol and drug abuse counselor pursuant to this section, the Board shall provide written notice to the applicant of any additional information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board shall approve the application and issue a certificate by endorsement as an alcohol and drug abuse counselor to the applicant not later than:

(a) Forty-five days after receiving the application; or

(b) Ten days after the Board receives a report on the applicant's background based on the submission of the applicant's fingerprints,

➥ whichever occurs later.

4. A certificate by endorsement as an alcohol and drug abuse counselor may be issued at a meeting of the Board or between its meetings by the President of the Board. Such an action shall be deemed to be an action of the Board.

Sec. 88. NRS 641C.396 is hereby amended to read as follows:

641C.396 1. The Board may issue a certificate by endorsement as an alcohol and drug abuse counselor to an applicant who meets the requirements set forth in this section. An applicant may submit to the Board an application for such a certificate if the applicant:

(a) Holds a corresponding valid and unrestricted certificate as an alcohol and drug abuse counselor in the District of Columbia or any state or territory of the United States; and

(b) Is an active member of, or the spouse of an active member of, the Armed Forces of the United States, a veteran or the surviving spouse of a veteran.

2. An applicant for a certificate by endorsement pursuant to this section must submit to the Board with his or her application:

(a) Proof satisfactory to the Board that the applicant:

(1) Satisfies the requirements of subsection 1;

(2) ~~[Is a citizen of the United States or otherwise has the legal right to work in the United States;~~

~~(3)]~~ Has not been disciplined or investigated by the corresponding regulatory authority of the District of Columbia or the state or territory in which the applicant holds a certificate as an alcohol and drug abuse counselor; and

~~[(4)]~~ *(3)* Has not been held civilly or criminally liable for malpractice in the District of Columbia or any state or territory of the United States;

(b) A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints in the manner provided in NRS 641C.260;

(c) An affidavit stating that the information contained in the application and any accompanying material is true and correct;

(d) The fees prescribed by the Board pursuant to NRS 641C.470 for the initial application for and issuance of an initial certificate; and

(e) Any other information required by the Board.

3. Not later than 15 business days after receiving an application for a certificate by endorsement as an alcohol and drug abuse counselor pursuant to this section, the Board shall provide written notice to the applicant of any additional information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board shall approve the application and issue a certificate by endorsement as an alcohol and drug abuse counselor to the applicant not later than:

(a) Forty-five days after receiving all additional information required by the Board to complete the application; or

(b) Ten days after the Board receives a report on the applicant's background based on the submission of the applicant's fingerprints,

➥ whichever occurs later.

4. A certificate by endorsement as an alcohol and drug abuse counselor may be issued at a meeting of the Board or between its meetings by the President of the Board. Such an action shall be deemed to be an action of the Board.

5. At any time before making a final decision on an application for a certificate by endorsement pursuant to this section, the Board may grant a provisional certificate authorizing an applicant to practice as an alcohol and drug abuse counselor in accordance with regulations adopted by the Board.

6. As used in this section, "veteran" has the meaning ascribed to it in NRS 417.005.

Sec. 89. NRS 641C.420 is hereby amended to read as follows:

641C.420 1. The Board shall issue a certificate as an alcohol and drug abuse counselor intern to a person who:

(a) Is not less than 21 years of age;

(b) ~~[Is a citizen of the United States or is lawfully entitled to remain and work in the United States;~~

~~(c)]~~ Pays the fees required pursuant to NRS 641C.470;

~~[(d)]~~ *(c)* Submits proof to the Board that the person:

(1) Is enrolled in a program in which he or she has completed at least 60 hours of credit toward the completion of a bachelor's degree in a field of social science approved by the Board;

(2) Is enrolled in a program from which he or she will receive a master's degree or doctoral degree in a field of social science approved by the Board; or

(3) Has received an associate's degree, bachelor's degree, master's degree or doctoral degree that included at least 18 hours of credit specifically related to the practice of counseling alcohol and drug abusers in a field of social science approved by the Board;

~~[(e)]~~ *(d)* Has received at least 6 hours of instruction relating to confidentiality and 6 hours of instruction relating to ethics; and

~~[(f)]~~ *(e)* Submits all information required to complete an application for a certificate.

2. A certificate as an alcohol and drug abuse counselor intern is valid for 6 months and may be renewed. The Board may waive any requirement for the renewal of a certificate upon good cause shown by the holder of the certificate.

3. A certified alcohol and drug abuse counselor intern may, under the supervision of a licensed alcohol and drug abuse counselor, licensed clinical alcohol and drug abuse counselor or certified alcohol and drug abuse counselor who meets the requirements of paragraph (c) of subsection 4 of NRS 641C.390:

(a) Engage in the practice of counseling alcohol and drug abusers; and

(b) Diagnose or classify a person as an alcoholic or drug abuser.

Sec. 90. NRS 641C.430 is hereby amended to read as follows:

641C.430 The Board may issue a certificate as a problem gambling counselor to:

1. A person who:

(a) Is not less than 21 years of age;

(b) ~~[Is a citizen of the United States or is lawfully entitled to remain and work in the United States;~~

~~(c)]~~ Has received a bachelor's degree, master's degree or a doctoral degree from an accredited college or university in a field of social science approved by the Board;

~~[(d)]~~ *(c)* Has completed not less than 60 hours of training specific to problem gambling approved by the Board;

~~[(e)]~~ *(d)* Has completed at least 2,000 hours of supervised counseling of problem gamblers in a setting approved by the Board;

~~[(f)]~~ *(e)* Passes the written and oral examination prescribed by the Board pursuant to NRS 641C.290;

~~[(g)]~~ *(f)* Presents himself or herself when scheduled for an interview at a meeting of the Board;

~~[(h)]~~ *(g)* Pays the fees required pursuant to NRS 641C.470; and

~~[(i)]~~ *(h)* Submits all information required to complete an application for a certificate.

2. A person who:

(a) Is not less than 21 years of age;

(b) ~~[Is a citizen of the United States or is lawfully entitled to remain and work in the United States;~~

~~(c)]~~ Is licensed as:

(1) A clinical social worker pursuant to chapter 641B of NRS;

(2) A clinical professional counselor pursuant to chapter 641A of NRS;

(3) A marriage and family therapist pursuant to chapter 641A of NRS;

(4) A physician pursuant to chapter 630 of NRS;

(5) A nurse pursuant to chapter 632 of NRS and has received a master's degree or a doctoral degree from an accredited college or university;

(6) A psychologist pursuant to chapter 641 of NRS;

(7) An alcohol and drug abuse counselor pursuant to this chapter; or

(8) A clinical alcohol and drug abuse counselor pursuant to this chapter;

~~[(d)]~~ *(c)* Has completed not less than 60 hours of training specific to problem gambling approved by the Board;

~~[(e)]~~ *(d)* Has completed at least 1,000 hours of supervised counseling of problem gamblers in a setting approved by the Board;

~~[(f)]~~ *(e)* Passes the written and oral examination prescribed by the Board pursuant to NRS 641C.290;

~~[(g)]~~ *(f)* Pays the fees required pursuant to NRS 641C.470; and

~~[(h)]~~ *(g)* Submits all information required to complete an application for a certificate.

Sec. 91. NRS 641C.432 is hereby amended to read as follows:

641C.432 1. The Board may issue a certificate by endorsement as a problem gambling counselor to an applicant who meets the requirements set forth in this section. An applicant may submit to the Board an application for such a certificate if the applicant holds a corresponding valid and unrestricted certificate as a problem gambling counselor in the District of Columbia or any state or territory of the United States.

2. An applicant for a certificate by endorsement pursuant to this section must submit to the Board with his or her application:

(a) Proof satisfactory to the Board that the applicant:

(1) Satisfies the requirements of subsection 1;

(2) ~~[Is a citizen of the United States or otherwise has the legal right to work in the United States;~~

~~(3)]~~ Has not been disciplined or investigated by the corresponding regulatory authority of the District of Columbia or any state or territory in which the applicant currently holds or has held a certificate as a problem gambling counselor; and

~~[(4)]~~ *(3)* Has not been held civilly or criminally liable for malpractice in the District of Columbia or any state or territory of the United States;

(b) A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints in the manner provided in NRS 641C.260;

(c) An affidavit stating that the information contained in the application and any accompanying material is true and correct;

(d) The fees prescribed by the Board pursuant to NRS 641C.470 for the initial application for and issuance of an initial certificate; and

(e) Any other information required by the Board.

3. Not later than 15 business days after receiving an application for a certificate by endorsement as a problem gambling counselor pursuant to this section, the Board shall provide written notice to the applicant of any additional information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board shall approve the application and issue a certificate by endorsement as a problem gambling counselor to the applicant not later than:

(a) Forty-five days after receiving the application; or

(b) Ten days after the Board receives a report on the applicant's background based on the submission of the applicant's fingerprints,

➥ whichever occurs later.

4. A certificate by endorsement as a problem gambling counselor may be issued at a meeting of the Board or between its meetings by the President of the Board. Such an action shall be deemed to be an action of the Board.

Sec. 92. NRS 641C.433 is hereby amended to read as follows:

641C.433 1. The Board may issue a certificate by endorsement as a problem gambling counselor to an applicant who meets the requirements set

forth in this section. An applicant may submit to the Board an application for such a certificate if the applicant:

(a) Holds a corresponding valid and unrestricted certificate as a problem gambling counselor in the District of Columbia or any state or territory of the United States; and

(b) Is an active member of, or the spouse of an active member of, the Armed Forces of the United States, a veteran or the surviving spouse of a veteran.

2. An applicant for a certificate by endorsement pursuant to this section must submit to the Board with his or her application:

(a) Proof satisfactory to the Board that the applicant:

(1) Satisfies the requirements of subsection 1;

(2) ~~[Is a citizen of the United States or otherwise has the legal right to work in the United States;~~

~~(3)]~~ Has not been disciplined or investigated by the corresponding regulatory authority of the District of Columbia or the state or territory in which the applicant holds a certificate as a problem gambling counselor; and

~~[(4)]~~ *(3)* Has not been held civilly or criminally liable for malpractice in the District of Columbia or any state or territory of the United States;

(b) A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints in the manner provided in NRS 641C.260;

(c) An affidavit stating that the information contained in the application and any accompanying material is true and correct;

(d) The fees prescribed by the Board pursuant to NRS 641C.470 for the initial application for and issuance of an initial certificate; and

(e) Any other information required by the Board.

3. Not later than 15 business days after receiving an application for a certificate by endorsement as a problem gambling counselor pursuant to this section, the Board shall provide written notice to the applicant of any additional information required by the Board to consider the application. Unless the Board denies the application for good cause, the Board shall approve the application and issue a certificate by endorsement as a problem gambling counselor to the applicant not later than:

(a) Forty-five days after receiving all the additional information required by the Board to complete the application; or

(b) Ten days after the Board receives a report on the applicant's background based on the submission of the applicant's fingerprints,

➥ whichever occurs later.

4. A certificate by endorsement as a problem gambling counselor may be issued at a meeting of the Board or between its meetings by the President of the Board. Such an action shall be deemed to be an action of the Board.

5. At any time before making a final decision on an application for a certificate by endorsement pursuant to this section, the Board may grant a provisional certificate authorizing an applicant to practice as a problem gambling counselor in accordance with regulations adopted by the Board.

6. As used in this section, "veteran" has the meaning ascribed to it in NRS 417.005.

Sec. 93. NRS 641C.440 is hereby amended to read as follows:

641C.440 1. The Board may issue a certificate as a problem gambling counselor intern to a person who:

(a) Is not less than 21 years of age;

(b) ~~[Is a citizen of the United States or is lawfully entitled to remain and work in the United States;~~

~~(c)]~~ Submits proof to the Board that the person:

(1) Has received a bachelor's degree, master's degree or a doctoral degree from an accredited college or university in a field of social science approved by the Board; or

(2) Is enrolled in a program at an accredited college or university from which he or she will receive a bachelor's degree, master's degree or a doctoral degree in a field of social science approved by the Board;

~~[(d)]~~ *(c)* Has completed not less than 30 hours of training specific to problem gambling approved by the Board;

~~[(e)]~~ *(d)* Demonstrates that a certified problem gambling counselor approved by the Board has agreed to supervise him or her in a setting approved by the Board;

~~[(f)]~~ *(e)* Pays the fees required pursuant to NRS 641C.470; and

~~[(g)]~~ *(f)* Submits all information required to complete an application for a certificate.

2. A certificate as a problem gambling counselor intern is valid for 6 months and, except as otherwise provided in subsection 3, may be renewed.

3. A certificate as a problem gambling counselor intern issued to a person on the basis that the person is enrolled in a program at an accredited college or university from which he or she will receive a bachelor's degree, master's degree or a doctoral degree in a field of social science approved by the Board may be renewed not more than nine times.

4. A certified problem gambling counselor intern may, under the supervision of a certified problem gambling counselor:

(a) Engage in the practice of counseling problem gamblers; and

(b) Assess and evaluate a person as a problem gambler.

Sec. 94. NRS 644A.300 is hereby amended to read as follows:

644A.300 The Board shall admit to examination for a license as a cosmetologist any person who has made application to the Board in proper form and paid the fee, and who before or on the date of the examination:

1. Is not less than 18 years of age.

2. Is of good moral character.

3. ~~[Is a citizen of the United States or is lawfully entitled to remain and work in the United States.~~

~~4.]~~ Has successfully completed the 10th grade in school or its equivalent. Testing for equivalency must be pursuant to applicable state or federal requirements.

~~[5.]~~ *4.* Has had any one of the following:

(a) Training of at least 1,600 hours, extending over a school term of 10 months, in a school of cosmetology approved by the Board.

(b) Practice of the occupation of a cosmetologist for a period of 4 years outside this State.

(c) If the applicant is a barber registered pursuant to chapter 643 of NRS, 600 hours of specialized training approved by the Board.

(d) At least 3,200 hours of service as a cosmetologist's apprentice in a licensed cosmetological establishment in which all of the occupations of cosmetology are practiced. The required hours must have been completed during the period of validity of the certificate of registration as a cosmetologist's apprentice issued to the person pursuant to NRS 644A.310.

Sec. 95. NRS 644A.315 is hereby amended to read as follows:

644A.315 The Board shall admit to examination for a license as a hair designer each person who has applied to the Board in proper form and paid the fee, and who:

1. Is not less than 18 years of age.

2. Is of good moral character.

3. ~~[Is a citizen of the United States or is lawfully entitled to remain and work in the United States.~~

~~4.]~~ Has successfully completed the 10th grade in school or its equivalent. Testing for equivalency must be pursuant to state or federal requirements.

~~[5.]~~ *4.* Satisfies at least one of the following:

(a) Is a barber registered pursuant to chapter 643 of NRS.

(b) Has had training of at least 1,200 hours, extending over a period of 7 consecutive months, in a school of cosmetology approved by the Board.

(c) Has had practice of the occupation of hair designing for at least 4 years outside this State.

(d) Has had at least 2,400 hours of service as a hair designer's apprentice in a licensed cosmetological establishment in which hair design is practiced. The required hours must have been completed during the period of validity of the certificate of registration as a hair designer's apprentice issued to the person pursuant to NRS 644A.325.

Sec. 96. NRS 644A.330 is hereby amended to read as follows:

644A.330 The Board shall admit to examination for a license as an esthetician any person who has made application to the Board in proper form, paid the fee and:

1. Is at least 18 years of age;

2. Is of good moral character;

3. ~~[Is a citizen of the United States or is lawfully entitled to remain and work in the United States;~~

~~4.]~~ Has successfully completed the 10th grade in school or its equivalent; and

~~[5.]~~ *4.* Has had any one of the following:

(a) A minimum of 900 hours of training, which includes theory, modeling and practice, in a licensed school of cosmetology.

(b) Practice as a full-time licensed esthetician for at least 1 year.

(c) At least 1,800 hours of service as an esthetician's apprentice in a licensed cosmetological establishment in which esthetics is practiced. The required hours must have been completed during the period of validity of the certificate of registration as an esthetician's apprentice issued to the person pursuant to NRS 644A.340.

Sec. 97. NRS 644A.345 is hereby amended to read as follows:

644A.345 The Board shall admit to examination for a license as a nail technologist any person who has made application to the Board in proper form, paid the fee and who, before or on the date of the examination:

1. Is not less than 18 years of age.

2. Is of good moral character.

3. ~~[Is a citizen of the United States or is lawfully entitled to remain and work in the United States.~~

~~4.]~~ Has successfully completed the 10th grade in school or its equivalent.

~~[5.]~~ *4.* Has had any one of the following:

(a) Practical training of at least 600 hours under the immediate supervision of a licensed instructor in a licensed school of cosmetology in which the practice is taught.

(b) Practice as a full-time licensed nail technologist for 1 year outside the State of Nevada.

(c) At least 1,200 hours of service as a nail technologist's apprentice in a licensed cosmetological establishment in which nail technology is practiced. The required hours must have been completed during the period of validity of the certificate of registration as a nail technologist's apprentice issued to the person pursuant to NRS 644A.355.

Sec. 98. NRS 644A.360 is hereby amended to read as follows:

644A.360 1. Except as otherwise provided in NRS 644A.365, the Board shall admit to examination as a hair braider each person who has applied to the Board in proper form and paid the fee, and who:

(a) Is not less than 18 years of age.

(b) Is of good moral character.

(c) ~~[Is a citizen of the United States or is lawfully entitled to remain and work in the United States.~~

~~(d)]~~ Has successfully completed the 10th grade in school or its equivalent. Testing for equivalency must be pursuant to state or federal requirements.

~~[(e)]~~ *(d)* If the person has not practiced hair braiding previously:

(1) Has completed a minimum of 250 hours of training and education as follows:

(I) Fifty hours concerning the laws of Nevada and the regulations of the Board relating to cosmetology;

(II) Seventy-five hours concerning infection control and prevention and sanitation;

(III) Seventy-five hours regarding the health of the scalp and the skin of the human body; and

(IV) Fifty hours of clinical practice; and

(2) Has passed the practical demonstration in hair braiding and written tests described in NRS 644A.370.

~~[(f)]~~ *(e)* If the person has practiced hair braiding in this State on a person who is related within the sixth degree of consanguinity without a license and without charging a fee:

(1) Has submitted to the Board a signed affidavit stating that the person has practiced hair braiding for at least 1 year on such a relative; and

(2) Has passed the practical demonstration in hair braiding and written tests described in NRS 644A.370.

2. The application submitted pursuant to subsection 1 must be accompanied by:

(a) Two current photographs of the applicant which are 2 by 2 inches. The name and address of the applicant must be written on the back of each photograph.

(b) A copy of one of the following documents as proof of the age of the applicant:

(1) A driver's license, identification card or permanent resident card issued to the applicant by this State or another state, the District of Columbia, the United States or any territory of the United States or a tribal identification card issued by a tribal government which satisfies the requirements of subsection 3 of NRS 232.006;

(2) The birth certificate of the applicant; or

(3) The current passport issued to the applicant.

Sec. 99. NRS 644A.365 is hereby amended to read as follows:

644A.365 1. The Board shall admit to examination as a hair braider each person who has practiced hair braiding in another state, has applied to the Board in proper form and paid a fee of $200, and who:

(a) Is not less than 18 years of age.

(b) Is of good moral character.

(c) ~~[Is a citizen of the United States or is lawfully entitled to remain and work in the United States.~~

~~(d)]~~ Has successfully completed the 10th grade in school or its equivalent. Testing for equivalency must be pursuant to state or federal requirements.

~~[(e)]~~ *(d)* If the person has practiced hair braiding in another state in accordance with a license issued in that other state:

(1) Has submitted to the Board proof of the license; and

(2) Has passed the written tests described in NRS 644A.370.

~~[(f)]~~ *(e)* If the person has practiced hair braiding in another state without a license and it is legal in that state to practice hair braiding without a license:

(1) Has submitted to the Board a signed affidavit stating that the person has practiced hair braiding for at least 1 year; and

(2) Has passed the practical demonstration in hair braiding and written tests described in NRS 644A.370.

2. The application submitted pursuant to subsection 1 must be accompanied by:

(a) Two current photographs of the applicant which are 2 by 2 inches. The name and address of the applicant must be written on the back of each photograph.

(b) A copy of one of the following documents as proof of the age of the applicant:

(1) A driver's license, identification card or permanent resident card issued to the applicant by this State or another state, the District of Columbia, the United States or any territory of the United States or a tribal identification card issued by a tribal government which satisfies the requirements of subsection 3 of NRS 232.006;

(2) The birth certificate of the applicant; or

(3) The current passport issued to the applicant.

Sec. 100. NRS 644A.370 is hereby amended to read as follows:

644A.370 1. The examination for licensure as a hair braider pursuant to paragraph ~~[(e)]~~ *(d)* of subsection 1 of NRS 644A.365 must include:

(a) A written test on antisepsis, sterilization and sanitation;

(b) A written test on the laws of Nevada and the regulations of the Board relating to cosmetology; and

(c) Such other tests or examinations as the Board deems necessary.

2. The examination for licensure as a hair braider pursuant to NRS 644A.360 or paragraph ~~[(f)]~~ *(e)* of subsection 1 of NRS 644A.365 must include:

(a) The written tests and such other tests or examinations described in subsection 1; and

(b) A practical demonstration in hair braiding.

Sec. 101. NRS 644A.375 is hereby amended to read as follows:

644A.375 1. The Board shall admit to examination for a certificate of registration as a shampoo technologist, any person who has applied to the Board in proper form and paid the fee, and who:

(a) Is not less than 16 years of age.

(b) Is of good moral character.

(c) ~~[Is a citizen of the United States or is lawfully entitled to remain and work in the United States.~~

~~(d)]~~ Has successfully completed the 10th grade in school or its equivalent.

~~[(e)]~~ *(d)* Satisfies at least one of the following:

(1) Training of at least 50 hours in a licensed school of cosmetology as a student of the occupation of a cosmetologist or hair designer;

(2) Training of at least 50 hours in a licensed school of cosmetology in a curriculum prescribed by the Board by regulation;

(3) Training of at least 50 hours which is administered online by the Board in a curriculum prescribed by the Board by regulation; or

(4) Has had practice as a full-time licensed shampoo technologist for 1 year outside this State.

2. The Board may charge a fee of not more than $50 to administer the training described in subparagraph (3) of paragraph ~~[(e)]~~ *(d)* of subsection 1.

3. A certificate of registration as a shampoo technologist is valid for 2 years after the date on which it is issued and may be renewed by the Board upon good cause shown.

Sec. 102. NRS 644A.385 is hereby amended to read as follows:

644A.385 The Board shall admit to examination for a license as a demonstrator of cosmetics any person who has made application to the Board in proper form, paid the fee and:

1. Is at least 18 years of age;

2. Is of good moral character;

3. ~~[Is a citizen of the United States or is lawfully entitled to remain and work in the United States;~~

~~4.]~~ Has completed a course provided by the Board relating to sanitation; and

~~[5.]~~ *4.* Except as otherwise provided in NRS 622.090, has received a score of not less than 75 percent on the examination administered by the Board.

Sec. 103. NRS 644A.395 is hereby amended to read as follows:

644A.395 1. Each makeup artist who engages in the practice of makeup artistry in a licensed cosmetological establishment shall, on or before January 1 of each year, register with the Board on a form prescribed by the Board. The registration must:

(a) Include:

(1) The name, address, electronic mail address and telephone number of the makeup artist; and

(2) The name and license number of each cosmetological establishment in which the makeup artist will be practicing makeup artistry.

(b) Be accompanied by:

(1) A notarized statement indicating that the makeup artist:

(I) Is 18 years of age or older;

(II) Is of good moral character; *and*

(III) ~~[Is a citizen of the United States or is lawfully entitled to remain and work in the United States; and~~

~~(IV)]~~ Has completed at least 2 years of high school; and

(2) Two current photographs of the makeup artist which are 2 by 2 inches.

2. The Board shall charge a fee of not more than $25 for registering a makeup artist pursuant to this section.

3. A makeup artist shall not practice makeup artistry in a licensed cosmetological establishment without first obtaining a certificate of registration.

4. A makeup artist, other than a makeup artist required to be registered pursuant to subsection 1, shall not engage in the practice of makeup artistry in this State unless he or she:

(a) Is 18 years of age or older;

(b) Is of good moral character; *and*

(c) ~~[Is a citizen of the United States or is lawfully entitled to remain and work in the United States; and~~

~~— (d)]~~ Has completed at least 2 years of high school.

Sec. 104. NRS 644A.400 is hereby amended to read as follows:

644A.400 The Board shall admit to examination for a license as an electrologist any person who has made application to the Board in the proper form and paid the fee, and who before or on the date set for the examination:

1. Is not less than 18 years of age.

2. Is of good moral character.

3. ~~[Is a citizen of the United States or is lawfully entitled to remain and work in the United States.~~

~~— 4.]~~ Has successfully completed the 12th grade in school or its equivalent.

~~[5.]~~ *4.* Has or has completed any one of the following:

(a) A minimum training of 500 hours under the immediate supervision of an approved electrologist in an approved school in which the practice is taught.

(b) Study of the practice for at least 1,000 hours extending over a period of 5 consecutive months, under an electrologist licensed pursuant to this chapter, in an approved program for electrologist's apprentices.

(c) A valid electrologist's license issued by a state whose licensing requirements are equal to or greater than those of this State.

(d) Either training or practice, or a combination of training and practice, in electrology outside this State for a period specified by regulations of the Board.

Sec. 105. NRS 644A.460 is hereby amended to read as follows:

644A.460 Except as otherwise provided in NRS 644A.365, upon application to the Board, accompanied by a fee of $200, a person currently licensed in any branch of cosmetology under the laws of another state or territory of the United States or the District of Columbia may, without examination, unless the Board sees fit to require an examination, be granted a license to practice the occupation in which the applicant was previously licensed upon proof satisfactory to the Board that the applicant:

1. Is not less than 18 years of age.

2. Is of good moral character.

3. ~~[Is a citizen of the United States or is lawfully entitled to remain and work in the United States.~~

~~— 4.]~~ Is currently licensed in another state or territory or the District of Columbia.

Sec. 106. NRS 648.110 is hereby amended to read as follows:

648.110 1. Before the Board grants any license, the applicant, including each director and officer of a corporate applicant, must:

(a) Be at least 21 years of age.

(b) ~~[Be a citizen of the United States or lawfully entitled to remain and work in the United States.~~

~~— (c)]~~ Be of good moral character and temperate habits.

~~[(d)]~~ *(c)* Have no conviction of:

(1) A felony relating to the practice for which the applicant wishes to be licensed; or

(2) Any crime involving moral turpitude or the illegal use or possession of a dangerous weapon.

2. Each applicant, or the qualifying agent of a corporate applicant, must:

(a) If an applicant for a private investigator's license, have at least 5 years' experience as an investigator, or the equivalent thereof, as determined by the Board.

(b) If an applicant for a repossessor's license, have at least 5 years' experience as a repossessor, or the equivalent thereof, as determined by the Board.

(c) If an applicant for a private patrol officer's license, have at least 5 years' experience as a private patrol officer, or the equivalent thereof, as determined by the Board.

(d) If an applicant for a process server's license, have at least 2 years' experience as a process server, or the equivalent thereof, as determined by the Board.

(e) If an applicant for a dog handler's license, demonstrate to the satisfaction of the Board his or her ability to handle, supply and train watchdogs.

(f) If an applicant for a license as an intern, have:

(1) Received:

(I) A baccalaureate degree from an accredited college or university and have at least 1 year's experience in investigation or polygraphic examination satisfactory to the Board;

(II) An associate degree from an accredited college or university and have at least 3 years' experience; or

(III) A high school diploma or its equivalent and have at least 5 years' experience; and

(2) Satisfactorily completed a basic course of instruction in polygraphic techniques satisfactory to the Board.

(g) If an applicant for a license as a polygraphic examiner:

(1) Meet the requirements contained in paragraph (f);

(2) Have actively conducted polygraphic examinations for at least 2 years;

(3) Have completed successfully at least 250 polygraphic examinations, including at least 100 examinations concerning specific inquiries as distinguished from general examinations for the purpose of screening;

(4) Have completed successfully at least 50 polygraphic examinations, including 10 examinations concerning specific inquiries, during the 12 months immediately before the date of application; and

(5) Have completed successfully at least 24 hours of advanced polygraphic training acceptable to the Board during the 2 years immediately before the date of application.

(h) Meet other requirements as determined by the Board.

3. The Board, when satisfied from recommendations and investigation that the applicant is of good character, competency and integrity, may issue and deliver a license to the applicant entitling the applicant to conduct the business for which he or she is licensed, for the period which ends on July 1 next following the date of issuance.

4. For the purposes of this section, 1 year of experience consists of 2,000 hours of experience.

Sec. 107. NRS 648.1493 is hereby amended to read as follows:

648.1493 1. To obtain a registration, a person must:

(a) Be a natural person;

(b) File a written application for registration with the Board;

(c) Comply with the applicable requirements of this chapter; and

(d) Pay an application fee set by the Board of not more than $135.

2. An application for registration must include:

(a) A fully completed application for registration as an employee;

(b) A passport size photo;

(c) A completed set of fingerprint cards or a receipt for electronically submitted fingerprints of the applicant submitted as required by the Board; and

(d) Any other information or supporting materials required pursuant to the regulations adopted by the Board or by an order of the Board. Such information or supporting materials may include, without limitation, other forms of identification of the person.

3. Except as otherwise provided in this chapter, the Board shall issue a registration to an applicant if:

(a) The application is verified by the Board and complies with the applicable requirements of this chapter; and

(b) The applicant:

(1) Is at least 18 years of age;

(2) ~~[Is a citizen of the United States or lawfully entitled to remain and work in the United States;~~

~~(3)]~~ Is of good moral character and temperate habits;

~~[(4)]~~ *(3)* Has not been convicted of, or entered a plea of nolo contendere to, a felony or a crime involving moral turpitude or the illegal use or possession of a dangerous weapon;

~~[(5)]~~ *(4)* Has not made a false statement of material fact on the application; and

~~[(6)]~~ *(5)* Has not violated any provision of this chapter, a regulation adopted pursuant thereto or an order of the Board.

4. Upon the issuance of a registration, a pocket card of such size, design and content as may be determined by the Board will be issued without charge to each registered employee, and will be evidence that the employee is duly registered pursuant to this chapter.

5. A registration issued pursuant to this section and the cards issued pursuant to subsection 4 expire 5 years after the date the registration is issued,

unless it is renewed. To renew a registration, the holder of the registration must submit to the Board on or before the date the registration expires:

(a) A fully completed application for renewal of registration as an employee;

(b) A passport size photo;

(c) A completed set of fingerprint cards or a receipt for electronically submitted fingerprints of the applicant submitted as required by the Board;

(d) A renewal fee set by the Board of not more than $135; and

(e) Any other information or supporting materials required pursuant to the regulations adopted by the Board or by an order of the Board. Such information or supporting materials may include, without limitation, other forms of identification of the person.

6. A denial of registration may be appealed to the Board. The Board shall adopt regulations providing for the consideration of such appeals.

Sec. 108. NRS 649.085 is hereby amended to read as follows:

649.085 Every individual applicant, every officer and director of a corporate applicant, and every member of a firm or partnership applicant for a license as a collection agency or collection agent must submit proof satisfactory to the Commissioner that he or she:

1. ~~[Is a citizen of the United States or lawfully entitled to remain and work in the United States.~~

~~2.]~~ Has a good reputation for honesty, trustworthiness and integrity and is competent to transact the business of a collection agency in a manner which protects the interests of the general public.

~~[3.]~~ *2.* Has not had a collection agency license suspended or revoked within the 10 years immediately preceding the date of the application.

~~[4.]~~ *3.* Has not been convicted of, or entered a plea of nolo contendere to:

(a) A felony relating to the practice of collection agencies or collection agents; or

(b) Any crime involving fraud, misrepresentation or moral turpitude.

~~[5.]~~ *4.* Has not made a false statement of material fact on the application.

~~[6.]~~ *5.* Will maintain one or more offices in this State or one or more offices in another state for the transaction of the business of his or her collection agency.

~~[7.]~~ *6.* Has established a plan to ensure that his or her collection agency will provide the services of a collection agency adequately and efficiently.

Sec. 109. NRS 649.196 is hereby amended to read as follows:

649.196 1. Each applicant for a manager's certificate must submit proof satisfactory to the Commissioner that the applicant:

(a) ~~[Is a citizen of the United States or lawfully entitled to remain and work in the United States.~~

~~(b)]~~ Is at least 21 years of age.

~~[(c)]~~ *(b)* Has a good reputation for honesty, trustworthiness and integrity and is competent to transact the business of a collection agency in a manner which protects the interests of the general public.

~~[(d)]~~ *(c)* Has not committed any of the acts specified in NRS 649.215.

~~[(e)]~~ *(d)* Has not had a collection agency license or manager's certificate suspended or revoked within the 10 years immediately preceding the date of filing the application.

~~[(f)]~~ *(e)* Has not been convicted of, or entered a plea of nolo contendere to, a felony or any crime involving fraud, misrepresentation or moral turpitude.

~~[(g)]~~ *(f)* Has had not less than 2 years' full-time experience with a collection agency in the collection of accounts assigned by creditors who were not affiliated with the collection agency except as assignors of accounts. At least 1 year of the 2 years of experience must have been within the 18-month period preceding the date of filing the application.

2. Each applicant must:

(a) Pass the examination or reexamination provided for in NRS 649.205.

(b) Pay the required fees.

(c) Submit, in such form as the Commissioner prescribes:

(1) Three recent photographs; and

(2) Three complete sets of fingerprints which the Commissioner may forward to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report.

(d) Submit such other information reasonably related to his or her qualifications for the manager's certificate as the Commissioner determines to be necessary.

3. The Commissioner may refuse to issue a manager's certificate if the applicant does not meet the requirements of subsections 1 and 2.

4. If the Commissioner refuses to issue a manager's certificate pursuant to this section, the Commissioner shall notify the applicant in writing by certified mail stating the reasons for the refusal. The applicant may submit a written request for a hearing within 20 days after receiving the notice. If the applicant fails to submit a written request within the prescribed period, the Commissioner shall enter a final order.

5. The Commissioner shall consider an application to be withdrawn if the Commissioner has not received all information and fees required to complete the application within 6 months after the date the application is first submitted to the Commissioner or within such later period as the Commissioner determines in accordance with any existing policies of joint regulatory partners. If an application is deemed to be withdrawn pursuant to this subsection or if an applicant otherwise withdraws an application, the Commissioner may not issue a license to the applicant unless the applicant submits a new application and pays any required fees.

Sec. 110. NRS 654.155 is hereby amended to read as follows:

654.155 Each applicant for licensure as an administrator of a residential facility for groups pursuant to this chapter must:

1. Be at least 21 years of age;

2. ~~[Be a citizen of the United States or lawfully entitled to remain and work in the United States;~~

~~3.~~ Be of good moral character and physically and emotionally capable of administering a residential facility for groups;

~~[4.]~~ *3.* Have satisfactorily completed a course of instruction and training prescribed or approved by the Board or be qualified by reason of the applicant's education, training or experience to administer, supervise and manage a residential facility for groups;

~~[5.]~~ *4.* Pass an examination conducted and prescribed by the Board;

~~[6.]~~ *5.* Submit with the application:

(a) A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report; and

(b) A fee to cover the actual cost of obtaining the report from the Federal Bureau of Investigation;

~~[7.]~~ *6.* Comply with such other standards and qualifications as the Board prescribes; and

~~[8.]~~ *7.* Submit all information required to complete the application.

Sec. 111. NRS 656.170 is hereby amended to read as follows:

656.170 1. Examinations must be held not less than twice a year at such times and places as the Board may designate.

2. No natural person may be admitted to the examination unless the natural person first applies to the Board as required by NRS 656.150. The application must include, without limitation, satisfactory evidence to the Board that the applicant has, at the time of filing his or her application:

(a) Satisfied the requirements set forth in subsections 1 to ~~[5,]~~ *4,* inclusive, of NRS 656.180;

(b) Received a passing grade on:

(1) The National Court Reporters Association's examination for registered professional reporters; or

(2) The National Verbatim Reporters Association's examination for certified verbatim reporters;

(c) Received one of the following:

(1) A certificate as a registered professional reporter issued to the applicant by the National Court Reporters Association;

(2) A certificate as a registered merit reporter issued to the applicant by the National Court Reporters Association;

(3) A certificate as a certified verbatim reporter issued to the applicant by the National Verbatim Reporters Association; or

(4) A valid certificate or license to practice court reporting issued to the applicant by another state if the requirements for certification or licensure in that state are substantially equivalent to the requirements of this State for obtaining a certificate;

(d) Either:

(1) At least 1 year of continuous experience within the 5 years immediately preceding the application, in the practice of court reporting or

producing verbatim records of meetings and conferences by the use of voice writing or any system of manual or mechanical shorthand writing and transcribing those records; or

(2) Obtained in the 12 months immediately preceding the application, a certificate of satisfactory completion of a prescribed course of study from a court reporting program that, as determined by the Board, evidences a proficiency substantially equivalent to subparagraph (1); and

(e) Paid the fee for filing an application for an examination set forth in NRS 656.220.

3. As used in this section, "practice of court reporting" includes reporting by use of voice writing or any system of manual or mechanical shorthand writing, regardless of the state in which the reporting took place.

Sec. 112. NRS 656.180 is hereby amended to read as follows:

656.180 An applicant for a certificate of registration as a certified court reporter is entitled to a certificate if the applicant:

1. ~~[Is a citizen of the United States or lawfully entitled to remain and work in the United States;~~

~~2.]~~ Is at least 18 years of age;

~~[3.]~~ *2.* Is of good moral character;

~~[4.]~~ *3.* Has not been convicted of a felony relating to the practice of court reporting;

~~[5.]~~ *4.* Has a high school education or its equivalent;

~~[6.]~~ *5.* Satisfactorily passes:

(a) An examination administered by the Board pursuant to NRS 656.160; and

(b) One of the examinations described in paragraph (b) of subsection 2 of NRS 656.170;

~~[7.]~~ *6.* Pays the requisite fees; and

~~[8.]~~ *7.* Submits all information required to complete an application for a certificate of registration.

Sec. 113. Chapter 119A of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Administrator or the Division, as applicable, shall not deny the application of a person for a sales agent's license pursuant to NRS 119A.210, a registration as a representative pursuant to NRS 119A.240 or a registration as a manager of a project pursuant to NRS 119A.532 based solely on his or her immigration or citizenship status.

2. Notwithstanding the provisions of NRS 119A.210, 119A.240 and 119A.532, an applicant for a sales agent's license or a registration as a representative or a manager of a project who does not have a social security number must provide an alternative personally identifying number, including, without limitation, his or her individual taxpayer identification number, when completing an application.

3. The Administrator or the Division, as applicable, shall not disclose to any person who is not employed by the Administrator or the Division the social

security number or alternative personally identifying number, including, without limitation, an individual taxpayer identification number, of an applicant for a license for any purpose except:

(a) Tax purposes;

(b) Licensing purposes; and

(c) Enforcement of an order for the payment of child support.

4. A social security number or alternative personally identifying number, including, without limitation, an individual taxpayer identification number, provided to the Administrator or the Division, as applicable, is confidential and is not a public record for the purposes of chapter 239 of NRS.

Sec. 113.5. NRS 239.010 is hereby amended to read as follows:

239.010 1. Except as otherwise provided in this section and NRS 1.4683, 1.4687, 1A.110, 3.2203, 41.071, 49.095, 49.293, 62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030, 62H.170, 62H.220, 62H.320, 75A.100, 75A.150, 76.160, 78.152, 80.113, 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413, 87A.200, 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345, 88A.7345, 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270, 116B.880, 118B.026, 119.260, 119.265, 119.267, 119.280, 119A.280, 119A.653, 119B.370, 119B.382, 120A.690, 125.130, 125B.140, 126.141, 126.161, 126.163, 126.730, 127.007, 127.057, 127.130, 127.140, 127.2817, 128.090, 130.312, 130.712, 136.050, 159.044, 159A.044, 172.075, 172.245, 176.01249, 176.015, 176.0625, 176.09129, 176.156, 176A.630, 178.39801, 178.4715, 178.5691, 179.495, 179A.070, 179A.165, 179D.160, 200.3771, 200.3772, 200.5095, 200.604, 202.3662, 205.4651, 209.392, 209.3925, 209.419, 209.521, 211A.140, 213.010, 213.040, 213.095, 213.131, 217.105, 217.110, 217.464, 217.475, 218A.350, 218E.625, 218F.150, 218G.130, 218G.240, 218G.350, 228.270, 228.450, 228.495, 228.570, 231.069, 231.1473, 233.190, 237.300, 239.0105, 239.0113, 239B.030, 239B.040, 239B.050, 239C.140, 239C.210, 239C.230, 239C.250, 239C.270, 240.007, 241.020, 241.030, 241.039, 242.105, 244.264, 244.335, 247.540, 247.550, 247.560, 250.087, 250.130, 250.140, 250.150, 268.095, 268.490, 268.910, 271A.105, 281.195, 281.805, 281A.350, 281A.680, 281A.685, 281A.750, 281A.755, 281A.780, 284.4068, 286.110, 287.0438, 289.025, 289.080, 289.387, 289.830, 293.4855, 293.5002, 293.503, 293.504, 293.558, 293.906, 293.908, 293.910, 293B.135, 293D.510, 331.110, 332.061, 332.351, 333.333, 333.335, 338.070, 338.1379, 338.1593, 338.1725, 338.1727, 348.420, 349.597, 349.775, 353.205, 353A.049, 353A.085, 353A.100, 353C.240, 360.240, 360.247, 360.255, 360.755, 361.044, 361.610, 365.138, 366.160, 368A.180, 370.257, 370.327, 372A.080, 378.290, 378.300, 379.008, 379.1495, 385A.830, 385B.100, 387.626, 387.631, 388.1455, 388.259, 388.501, 388.503, 388.513, 388.750, 388A.247, 388A.249, 391.035, 391.120, 391.925, 392.029, 392.147, 392.264, 392.271, 392.315, 392.317, 392.325, 392.327, 392.335, 392.850, 394.167, 394.1698, 394.447, 394.460, 394.465, 396.3295, 396.405, 396.525, 396.535, 396.9685, 398A.115, 408.3885, 408.3886, 408.3888, 408.5484, 412.153, 416.070, 422.2749, 422.305,

422A.342, 422A.350, 425.400, 427A.1236, 427A.872, 432.028, 432.205, 432B.175, 432B.280, 432B.290, 432B.407, 432B.430, 432B.560, 432B.5902, 433.534, 433A.360, 437.145, 439.840, 439B.420, 440.170, 441A.195, 441A.220, 441A.230, 442.330, 442.395, 442.735, 445A.665, 445B.570, 449.209, 449.245, 449A.112, 450.140, 453.164, 453.720, 453A.610, 453A.700, 458.055, 458.280, 459.050, 459.3866, 459.555, 459.7056, 459.846, 463.120, 463.15993, 463.240, 463.3403, 463.3407, 463.790, 467.1005, 480.365, 480.940, 481.063, 481.091, 481.093, 482.170, 482.5536, 483.340, 483.363, 483.575, 483.659, 483.800, 484E.070, 485.316, 501.344, 503.452, 522.040, 534A.031, 561.285, 571.160, 584.655, 587.877, 598.0964, 598.098, 598A.110, 599B.090, 603.070, 603A.210, 604A.710, 612.265, 616B.012, 616B.015, 616B.315, 616B.350, 618.341, 618.425, 622.310, 623.131, 623A.137, 624.110, 624.265, 624.327, 625.425, 625A.185, 628.418, 628B.230, 628B.760, 629.047, 629.069, 630.133, 630.30665, 630.336, 630A.555, 631.368, 632.121, 632.125, 632.405, 633.283, 633.301, 633.524, 634.055, 634.214, 634A.185, 635.158, 636.107, 637.085, 637B.288, 638.087, 638.089, 639.2485, 639.570, 640.075, 640A.220, 640B.730, 640C.400, 640C.600, 640C.620, 640C.745, 640C.760, 640D.190, 640E.340, 641.090, 641.325, 641A.191, 641A.289, 641B.170, 641B.460, 641C.760, 641C.800, 642.524, 643.189, 644A.870, 645.180, 645.625, 645A.050, 645A.082, 645B.060, 645B.092, 645C.220, 645C.225, 645D.130, 645D.135, 645E.300, 645E.375, 645G.510, 645H.320, 645H.330, 647.0945, 647.0947, 648.033, 648.197, 649.065, 649.067, 652.228, 654.110, 656.105, 661.115, 665.130, 665.133, 669.275, 669.285, 669A.310, 671.170, 673.450, 673.480, 675.380, 676A.340, 676A.370, 677.243, 679B.122, 679B.152, 679B.159, 679B.190, 679B.285, 679B.690, 680A.270, 681A.440, 681B.260, 681B.410, 681B.540, 683A.0873, 685A.077, 686A.289, 686B.170, 686C.306, 687A.110, 687A.115, 687C.010, 688C.230, 688C.480, 688C.490, 689A.696, 692A.117, 692C.190, 692C.3507, 692C.3536, 692C.3538, 692C.354, 692C.420, 693A.480, 693A.615, 696B.550, 696C.120, 703.196, 704B.320, 704B.325, 706.1725, 706A.230, 710.159, 711.600, *sections 3, 113, 116, 117, 120 to 122, inclusive, 125, 129, 132 and 138 of this act*, sections 35, 38 and 41 of chapter 478, Statutes of Nevada 2011 and section 2 of chapter 391, Statutes of Nevada 2013 and unless otherwise declared by law to be confidential, all public books and public records of a governmental entity must be open at all times during office hours to inspection by any person, and may be fully copied or an abstract or memorandum may be prepared from those public books and public records. Any such copies, abstracts or memoranda may be used to supply the general public with copies, abstracts or memoranda of the records or may be used in any other way to the advantage of the governmental entity or of the general public. This section does not supersede or in any manner affect the federal laws governing copyrights or enlarge, diminish or affect in any other manner the rights of a person in any written book or record which is copyrighted pursuant to federal law.

2. A governmental entity may not reject a book or record which is copyrighted solely because it is copyrighted.

3. A governmental entity that has legal custody or control of a public book or record shall not deny a request made pursuant to subsection 1 to inspect or copy or receive a copy of a public book or record on the basis that the requested public book or record contains information that is confidential if the governmental entity can redact, delete, conceal or separate the confidential information from the information included in the public book or record that is not otherwise confidential.

4. A person may request a copy of a public record in any medium in which the public record is readily available. An officer, employee or agent of a governmental entity who has legal custody or control of a public record:

(a) Shall not refuse to provide a copy of that public record in a readily available medium because the officer, employee or agent has already prepared or would prefer to provide the copy in a different medium.

(b) Except as otherwise provided in NRS 239.030, shall, upon request, prepare the copy of the public record and shall not require the person who has requested the copy to prepare the copy himself or herself.

Sec. 114. Chapter 240 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Secretary of State shall not ~~[deny the application of a person to be appointed as a notary public pursuant to NRS 240.015 based solely on his or her immigration or citizenship status.~~

~~2. An applicant for appointment as a notary public who does not have a]~~ collect the social security number ~~[must provide]~~ or an alternative personally identifying number, including, without limitation, ~~[his or her]~~ an individual taxpayer identification number, ~~[when completing an application]~~ from a notary public or an applicant for appointment as a notary public.

~~[3. The Secretary of State shall not disclose to any person who is not employed by the Secretary of State the social security number or alternative personally identifying number, including, without limitation, an individual taxpayer identification number, of an applicant for a license for any purpose except:~~

~~(a) Tax purposes;~~

~~(b) Licensing purposes; and~~

~~(c) Enforcement of an order for the payment of child support.~~

~~4. A social security number or alternative personally identifying number, including, without limitation, an individual taxpayer identification number, provided to the Secretary of State is confidential and is not a public record for the purposes of chapter 239 of NRS.]~~

Sec. 115. NRS 240.015 is hereby amended to read as follows:

240.015 1. Except as otherwise provided in this section, a person appointed as a notary public must:

(a) ~~[During the period of his or her appointment, be a citizen of the United States or lawfully admitted for permanent residency in the United States as verified by the United States Citizenship and Immigration Services.~~

~~(b)]~~ Be a resident of this State.

~~[(c)]~~ *(b)* Be at least 18 years of age.

~~[(d)]~~ *(c)* Possess his or her civil rights.

~~[(e)]~~ *(d)* Have completed a course of study pursuant to NRS 240.018.

2. ~~[If a person appointed as a notary public ceases to be lawfully admitted for permanent residency in the United States during his or her appointment, the person shall, within 90 days after his or her lawful admission has expired or is otherwise terminated, submit to the Secretary of State evidence that the person is lawfully readmitted for permanent residency as verified by the United States Citizenship and Immigration Services. If the person fails to submit such evidence within the prescribed time, the person's appointment expires by operation of law.~~

~~3.]~~ The Secretary of State may appoint a person who resides in an adjoining state as a notary public if the person:

(a) Maintains a place of business in the State of Nevada that is registered pursuant to chapter 76 of NRS and any applicable business licensing requirements of the local government where the business is located; or

(b) Is regularly employed at an office, business or facility located within the State of Nevada by an employer registered to do business in this State.

➥ If such a person ceases to maintain a place of business in this State or regular employment at an office, business or facility located within this State, the Secretary of State may suspend the person's appointment. The Secretary of State may reinstate an appointment suspended pursuant to this subsection if the notary public submits to the Secretary of State, before his or her term of appointment as a notary public expires, the information required pursuant to subsection 2 of NRS 240.030.

Sec. 116. Chapter 268 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The city council or other governing body of a city in the State of Nevada shall not deny the application of a person for a license, permit or certificate to practice a profession or occupation pursuant to NRS 266.355 or 268.0887 based solely on his or her immigration or citizenship status.

2. Notwithstanding the provisions of NRS 266.368 or any municipal ordinance, an applicant for a license, permit or certificate to practice a profession or occupation pursuant to NRS 266.355 or 268.0887 who does not have a social security number must provide an alternative personally identifying number, including, without limitation, his or her individual taxpayer identification number, when completing an application for a license, permit or certificate.

3. The city council or other governing body of a city in the State of Nevada shall not disclose to any person who is not employed by the city council or other governing body the social security number or alternative personally

identifying number, including, without limitation, an individual taxpayer identification number, of an applicant for a license for any purpose except:

(a) Tax purposes;

(b) Licensing purposes; and

(c) Enforcement of an order for the payment of child support.

4. A social security number or alternative personally identifying number, including, without limitation, an individual taxpayer identification number, provided to the city council or other governing body in the State of Nevada is confidential and is not a public record for the purposes of chapter 239 of NRS.

Sec. 117. Chapter 269 of NRS is hereby amended by adding thereto a new section to read as follows:

1. A town board or board of county commissioners shall not deny the application of a person for a license, permit or certificate to practice a profession or occupation pursuant to NRS 269.170 based solely on his or her immigration or citizenship status.

2. Notwithstanding the provisions of NRS 269.173, an applicant for a license, permit or certificate to practice a profession or occupation pursuant to NRS 269.170 who does not have a social security number must provide an alternative personally identifying number, including, without limitation, his or her individual taxpayer identification number, when completing an application for a license, permit or certificate.

3. The town board or board of county commissioners shall not disclose to any person who is not employed by the town board or board of county commissioners the social security number or alternative personally identifying number, including, without limitation, an individual taxpayer identification number, of an applicant for a license for any purpose except:

(a) Tax purposes;

(b) Licensing purposes; and

(c) Enforcement of an order for the payment of child support.

4. A social security number or alternative personally identifying number, including, without limitation, an individual taxpayer identification number, provided to the town board or board of county commissioners is confidential and is not a public record for the purposes of chapter 239 of NRS.

Sec. 118. (Deleted by amendment.)

Sec. 119. (Deleted by amendment.)

Sec. 120. Chapter 361 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Department shall not deny the application of a person for a certificate as an appraiser pursuant to NRS 361.221 based solely his or her immigration or citizenship status.

2. Notwithstanding the provisions of NRS 361.2224, an applicant for a certificate as an appraiser who does not have a social security number must provide an alternative personally identifying number, including, without limitation, his or her individual taxpayer identification number, when completing an application for a certificate as an appraiser.

3. The Department shall not disclose to any person who is not employed by the Department the social security number or alternative personally identifying number, including, without limitation, an individual taxpayer identification number, of an applicant for a license for any purpose except:

(a) Tax purposes;

(b) Licensing purposes; and

(c) Enforcement of an order for the payment of child support.

4. A social security number or alternative personally identifying number, including, without limitation, an individual taxpayer identification number, provided to the Department is confidential and is not a public record for the purposes of chapter 239 of NRS.

Sec. 121. Chapter 379 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The State Library, Archives and Public Records Administrator shall not deny the application of a person for certification by the State Library, Archives and Public Records Administrator pursuant to the regulations adopted pursuant to NRS 379.0073 based solely on his or her immigration or citizenship status.

2. Notwithstanding the provisions of NRS 379.0077, an applicant for certification by the State Library, Archives and Public Records Administrator who does not have a social security number must provide an alternative personally identifying number, including, without limitation, his or her individual taxpayer identification number, when completing an application for a certification.

3. The State Library, Archives and Public Records Administrator shall not disclose to any person who is not employed by the State Library, Archives and Public Records Administrator the social security number or alternative personally identifying number, including, without limitation, an individual taxpayer identification number, of an applicant for a license for any purpose except:

(a) Tax purposes;

(b) Licensing purposes; and

(c) Enforcement of an order for the payment of child support.

4. A social security number or alternative personally identifying number, including, without limitation, an individual taxpayer identification number, provided to the State Library, Archives and Public Records Administrator is confidential and is not a public record for the purposes of chapter 239 of NRS.

Sec. 122. Chapter 391 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Superintendent of Public Instruction shall not deny the application of a person for a license as a teacher or educational personnel pursuant to NRS 391.033 based solely on his or her immigration or citizenship status.

2. Notwithstanding the provisions of NRS 391.033, an applicant for a license as a teacher or educational personnel who does not have a social security number must provide an alternative personally identifying number,

including, without limitation, his or her individual taxpayer identification number, when completing an application for a license as a teacher or educational personnel.

3. The Superintendent of Public Instruction shall not disclose to any person who is not employed by the Superintendent of Public Instruction the social security number or alternative personally identifying number, including, without limitation, an individual taxpayer identification number, of an applicant for a license for any purpose except:

(a) Tax purposes;

(b) Licensing purposes; and

(c) Enforcement of an order for the payment of child support.

4. A social security number or alternative personally identifying number, including, without limitation, an individual taxpayer identification number, provided to the Superintendent of Public Instruction is confidential and is not a public record for the purposes of chapter 239 of NRS.

Sec. 123. NRS 391.060 is hereby amended to read as follows:

391.060 1. ~~[Except as otherwise provided in this section and NRS 391.070, it is unlawful for:~~

~~(a) The Superintendent of Public Instruction to issue a license to, or a board of trustees of a school district or a governing body of a charter school to employ, any teacher, instructor, principal or superintendent of schools who is not a citizen of the United States or a person who has filed a valid declaration to become a citizen or valid petition for naturalization, or who is not a lawful permanent resident of the United States.~~

~~(b) The State Controller or any county auditor to issue any warrant to any teacher, instructor, principal or superintendent of schools who is not a citizen of the United States or a person who has filed a valid declaration to become a citizen or valid petition for naturalization, or who is not a lawful permanent resident of the United States.~~

~~2. Upon the request of a school district or the governing body of the charter school, as applicable, the Superintendent of Public Instruction may issue a license to a person who does not meet the requirements of subsection 1 but is otherwise entitled to work in the United States pursuant to federal laws and regulations if:~~

~~(a) The school district or the governing body of the charter school, as applicable, has demonstrated to the satisfaction of the Superintendent of Public Instruction that:~~

~~(1) A shortage of teachers exists; or~~

~~(2) The school district or governing body of the charter school, as applicable, has not been able to employ a person possessing the skills, experience or abilities of the person to be licensed and such skills, experience or abilities are needed to address an area of concern for the school district or charter school;~~

~~(b) The person is otherwise qualified to teach, except that the person does not meet the requirements of subsection 1; and~~

~~(c) The school district or governing body of the charter school, as applicable, agrees to employ the person.~~

~~3. If the employment of a person to whom a license is issued pursuant to subsection 2 is terminated, the school district or governing body of the charter school, as applicable, must notify the Superintendent of Public Instruction within 5 business days.~~

~~4. A license issued by the Superintendent of Public Instruction pursuant to subsection 2:~~

~~(a) Automatically expires on the date that the licensee is no longer entitled to work in the United States pursuant to federal laws and regulations; and~~

~~(b) Authorizes the person who holds the license to teach only in the:~~

~~(1) School district or charter school that submitted the request for the issuance of the license to that person; and~~

~~(2) Subject area for which the person is qualified.~~

~~5.~~ Upon compliance with all applicable federal laws , ~~[and]~~ regulations ~~[,]~~ *and internal policies or programs of a federal agency or department,* the board of trustees of a school district or the governing body of a charter school may employ a person who ~~[does not meet the requirements of subsection 1]~~ *has the legal right to work in the United States pursuant to any such federal law, regulation or internal policy or program of a federal agency or department* if the person holds a license issued by the Superintendent of Public Instruction . ~~[pursuant to subsection 2. A]~~ *If a teacher who has the legal right to work in the United States which expires on a certain date pursuant to any federal law, regulation or internal policy or program of a federal agency or department, the* teacher's employment with a school district or the governing body of a charter school, as applicable, ~~[pursuant to this subsection]~~ automatically expires on the date that he or she is no longer entitled to work in the United States pursuant to federal laws , ~~[and]~~ regulations ~~[.~~

~~6.~~ *or internal policies or programs of a federal agency or department.*

2. The State Controller or a county auditor may issue a warrant to a teacher who is employed pursuant to subsection ~~[5.]~~ *1*.

~~[7.]~~ *3.* Any person who violates any of the provisions of this section is guilty of a misdemeanor.

Sec. 124. NRS 391.080 is hereby amended to read as follows:

391.080 1. Each teacher or other licensed employee employed in this state whose compensation is payable out of public money, except teachers employed pursuant to the provisions of subsection ~~[5]~~ *1* of NRS 391.060 or NRS 391.070, must take and subscribe to the constitutional oath of office before entering upon the discharge of his or her duties.

2. The oath of office, when taken and subscribed, must be filed with the Department.

3. The Superintendent of Public Instruction, the deputy superintendents and other members of the professional staff of the Department designated by the Superintendent, members of boards of trustees of school districts,

superintendents of schools, principals of schools and notaries public may administer the oath of office to teachers and other licensed employees.

Sec. 125. Chapter 437 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Division shall not deny the application of a person for a license as a behavior analyst or assistant behavior analyst, a certificate as a state certified behavior interventionist or registration as a behavior technician pursuant to NRS 437.200 based solely on his or her immigration or citizenship status.

2. Notwithstanding the provisions of NRS 437.210, an applicant for a license as a behavior analyst or assistant behavior analyst, a certificate as a state certified behavior interventionist or registration as a behavior technician who does not have a social security number must provide an alternative personally identifying number, including, without limitation, his or her individual taxpayer identification number, when completing an application for a license as a behavior analyst or assistant behavior analyst, a certificate as a state certified behavior interventionist or registration as a behavior technician.

3. The Division shall not disclose to any person who is not employed by the Division the social security number or alternative personally identifying number, including, without limitation, an individual taxpayer identification number, of an applicant for a license for any purpose except:

(a) Tax purposes;

(b) Licensing purposes; and

(c) Enforcement of an order for the payment of child support.

4. A social security number or alternative personally identifying number, including, without limitation, an individual taxpayer identification number, provided to the Division is confidential and is not a public record for the purposes of chapter 239 of NRS.

Sec. 126. NRS 437.205 is hereby amended to read as follows:

437.205 1. Except as otherwise provided in NRS 437.215 and 437.220, each application for licensure as a behavior analyst must be accompanied by evidence satisfactory to the Division that the applicant:

(a) Is of good moral character as determined by the Division.

(b) Is a citizen of the United States or is lawfully entitled to remain and work in the United States.

(c) Holds current certification as a Board Certified Behavior Analyst issued by the Behavior Analyst Certification Board, Inc., or any successor in interest to that organization.

2. Each application for licensure as an assistant behavior analyst must be accompanied by evidence satisfactory to the Division that the applicant:

(a) Is of good moral character as determined by the Division.

(b) ~~[Is a citizen of the United States or is lawfully entitled to remain and work in the United States.~~

~~(c)~~ Holds current certification as a Board Certified Assistant Behavior Analyst issued by the Behavior Analyst Certification Board, Inc., or any successor in interest to that organization.

3. Each application for certification as a state certified behavior interventionist must contain proof that the applicant meets the qualifications prescribed by regulation of the Board, which must be no less stringent than the requirements for registration as a Registered Behavior Technician, or an equivalent credential, by the Behavior Analyst Certification Board, Inc., or any successor in interest to that organization.

4. Each application for registration as a registered behavior technician must contain proof that the applicant is registered as a Registered Behavior Technician, or an equivalent credential, by the Behavior Analyst Certification Board, Inc., or any successor in interest to that organization. The Board shall not require any additional education or training for registration as a registered behavior technician.

5. Except as otherwise provided in NRS 437.215 and 437.220, within 120 days after receiving an application and the accompanying evidence from an applicant, the Division shall:

(a) Evaluate the application and accompanying evidence and determine whether the applicant is qualified pursuant to this section for licensure, certification or registration; and

(b) Issue a written statement to the applicant of its determination.

6. If the Division determines that the qualifications of the applicant are insufficient for licensure, certification or registration, the written statement issued to the applicant pursuant to subsection 5 must include a detailed explanation of the reasons for that determination.

Sec. 127. NRS 437.215 is hereby amended to read as follows:

437.215 1. The Division may issue a license by endorsement as a behavior analyst to an applicant who meets the requirements set forth in this section. An applicant may submit to the Division an application for such a license if the applicant holds a corresponding valid and unrestricted license as a behavior analyst in the District of Columbia or any state or territory of the United States.

2. An applicant for a license by endorsement pursuant to this section must submit to the Division with his or her application:

(a) Proof satisfactory to the Division that the applicant:

(1) Satisfies the requirements of subsection 1;

(2) ~~[Is a citizen of the United States or otherwise has the legal right to work in the United States;~~

~~(3)]~~ Has not been disciplined or investigated by the corresponding regulatory authority of the District of Columbia or any state or territory in which the applicant currently holds or has held a license as a behavior analyst; and

~~[(4)]~~ *(3)* Has not been held civilly or criminally liable for malpractice in the District of Columbia or any state or territory of the United States;

(b) A complete set of fingerprints and written permission authorizing the Division to forward the fingerprints in the manner provided in NRS 437.200;

(c) An affidavit stating that the information contained in the application and any accompanying material is true and correct;

(d) The fee prescribed by the Division pursuant to the regulations adopted pursuant to NRS 437.140; and

(e) Any other information required by the Division.

3. Not later than 15 business days after receiving an application for a license by endorsement as a behavior analyst pursuant to this section, the Division shall provide written notice to the applicant of any additional information required by the Division to consider the application. Unless the Division denies the application for good cause, the Division shall approve the application and issue a license by endorsement as a behavior analyst to the applicant not later than:

(a) Forty-five days after receiving the application; or

(b) Ten days after the Division receives a report on the applicant's background based on the submission of the applicant's fingerprints,

➥ whichever occurs later.

Sec. 128. NRS 437.220 is hereby amended to read as follows:

437.220 1. The Division may issue a license by endorsement as a behavior analyst to an applicant who meets the requirements set forth in this section. An applicant may submit to the Division an application for such a license if the applicant:

(a) Holds a corresponding valid and unrestricted license as a behavior analyst in the District of Columbia or any state or territory of the United States; and

(b) Is an active member of, or the spouse of an active member of, the Armed Forces of the United States, a veteran or the spouse, widow or widower of a veteran.

2. An applicant for a license by endorsement pursuant to this section must submit to the Division with his or her application:

(a) Proof satisfactory to the Division that the applicant:

(1) Satisfies the requirements of subsection 1;

(2) ~~[Is a citizen of the United States or otherwise has the legal right to work in the United States;~~

~~(3)]~~ Has not been disciplined or investigated by the corresponding regulatory authority of the District of Columbia or the state or territory in which the applicant holds a license as a behavior analyst; and

~~[(4)]~~ *(3)* Has not been held civilly or criminally liable for malpractice in the District of Columbia or any state or territory of the United States;

(b) A complete set of fingerprints and written permission authorizing the Division to forward the fingerprints in the manner provided in NRS 437.200;

(c) An affidavit stating that the information contained in the application and any accompanying material is true and correct;

(d) The fee prescribed by the Division pursuant to the regulations adopted pursuant to NRS 437.140; and

(e) Any other information required by the Division.

3. Not later than 15 business days after receiving an application for a license by endorsement as a behavior analyst pursuant to this section, the Division shall provide written notice to the applicant of any additional information required by the Division to consider the application. Unless the Division denies the application for good cause, the Division shall approve the application and issue a license by endorsement as a behavior analyst to the applicant not later than:

(a) Forty-five days after receiving all the additional information required by the Division to complete the application; or

(b) Ten days after the Division receives a report on the applicant's background based on the submission of the applicant's fingerprints,

➥ whichever occurs later.

4. At any time before making a final decision on an application for a license by endorsement pursuant to this section, the Division may grant a provisional license authorizing an applicant to practice as a behavior analyst in accordance with regulations adopted by the Board.

5. As used in this section, "veteran" has the meaning ascribed to it in NRS 417.005.

Sec. 129. Chapter 445B of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Department of Motor Vehicles shall not deny the application of a person for a license to inspect, repair, adjust or install devices for the control of emissions of motor vehicles pursuant to the regulations adopted pursuant to NRS 445B.775 based solely on his or her immigration or citizenship status.

2. Notwithstanding the provisions of NRS 445B.776, an applicant for a license to inspect, repair, adjust or install devices for the control of emissions of motor vehicles who does not have a social security number must provide an alternative personally identifying number, including, without limitation, his or her individual taxpayer identification number, when completing an application for a license to inspect, repair, adjust or install devices for the control of emissions of motor vehicles.

3. The Department of Motor Vehicles shall not disclose to any person who is not employed by the Department of Motor Vehicles the social security number or alternative personally identifying number, including, without limitation, an individual taxpayer identification number, of an applicant for a license for any purpose except:

(a) Tax purposes;

(b) Licensing purposes; and

(c) Enforcement of an order for the payment of child support.

4. A social security number or alternative personally identifying number, including, without limitation, an individual taxpayer identification number,

provided to the Department of Motor Vehicles is confidential and is not a public record for the purposes of chapter 239 of NRS.

Sec. 130. NRS 445B.790 is hereby amended to read as follows:

445B.790 1. The Department of Motor Vehicles shall, by regulation, establish procedures for inspecting authorized inspection stations, authorized stations and fleet stations, and may require the holder of a license for an authorized inspection station, authorized station or fleet station to submit any material or document which is used in the program to control emissions from motor vehicles.

2. The Department may deny, suspend or revoke the license of an approved inspector, authorized inspection station, authorized station or fleet station if:

(a) The approved inspector or the holder of a license for an authorized inspection station, authorized station or fleet station is not complying with the provisions of NRS 445B.700 to 445B.815, inclusive ~~[.]~~ *, and section 129 of this act.*

(b) The holder of a license for an authorized inspection station, authorized station or fleet station refuses to furnish the Department with the requested material or document.

(c) The approved inspector has issued a fraudulent certificate of compliance, whether intentionally or negligently. A "fraudulent certificate" includes, but is not limited to:

(1) A backdated certificate;

(2) A postdated certificate; and

(3) A certificate issued without an inspection.

(d) The approved inspector does not follow the prescribed test procedure.

Sec. 131. NRS 445B.845 is hereby amended to read as follows:

445B.845 1. A violation of any provision of NRS 445B.700 to 445B.845, inclusive, *and section 129 of this act* relating to motor vehicles, or any regulation adopted pursuant thereto relating to motor vehicles, is a misdemeanor. The provisions of NRS 445B.700 to 445B.845, inclusive, *and section 129 of this act*, or any regulation adopted pursuant thereto, must be enforced by any peace officer.

2. Satisfactory evidence that the motor vehicle or its equipment conforms to those provisions or regulations, when supplied by the owner of the motor vehicle to the Department of Motor Vehicles within 10 days after the issuance of a citation pursuant to subsection 1, may be accepted by the court as a complete or partial mitigation of the offense.

Sec. 132. Chapter 449 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Division shall not deny the application of a person for a certificate to operate an intermediary service organization pursuant to NRS 449.4311 based solely on his or her immigration status.

2. Notwithstanding the provisions of NRS 449.4312, an applicant for a certificate to operate an intermediary service organization who does not have

a social security number must provide an alternative personally identifying number, including, without limitation, his or her individual taxpayer identification number, when completing an application for a certificate to operate an intermediary service organization.

3. The Division shall not disclose to any person who is not employed by the Division the social security number or alternative personally identifying number, including, without limitation, an individual taxpayer identification number, of an applicant for a license for any purpose except:

(a) Tax purposes;

(b) Licensing purposes; and

(c) Enforcement of an order for the payment of child support.

4. A social security number or alternative personally identifying number, including, without limitation, an individual taxpayer identification number, provided to the Division is confidential and is not a public record for the purposes of chapter 239 of NRS.

Sec. 133. NRS 449.4304 is hereby amended to read as follows:

449.4304 As used in NRS 449.4304 to 449.4339, inclusive, *and section 132 of this act,* unless the context otherwise requires, "intermediary service organization" means a nongovernmental entity that provides services authorized pursuant to NRS 449.4308 for a person with a disability or other responsible person.

Sec. 134. NRS 449.431 is hereby amended to read as follows:

449.431 1. Except as otherwise provided in subsection 2, a person shall not operate or maintain in this State an intermediary service organization without first obtaining a certificate to operate an intermediary service organization as provided in NRS 449.4304 to 449.4339, inclusive ~~[.]~~ , *and section 132 of this act.*

2. A person who is licensed to operate an agency to provide personal care services in the home pursuant to this chapter is not required to obtain a certificate to operate an intermediary service organization as described in this section.

3. A person who violates the provisions of this section is guilty of a misdemeanor.

Sec. 135. NRS 449.4321 is hereby amended to read as follows:

449.4321 The Division may deny an application for a certificate to operate an intermediary service organization or may suspend or revoke any certificate issued under the provisions of NRS 449.4304 to 449.4339, inclusive, *and section 132 of this act* upon any of the following grounds:

1. Violation by the applicant or the holder of a certificate of any of the provisions of NRS 449.4304 to 449.4339, inclusive, *and section 132 of this act* or of any other law of this State or of the standards, rules and regulations adopted thereunder.

2. Aiding, abetting or permitting the commission of any illegal act.

3. Conduct inimical to the public health, morals, welfare and safety of the people of the State of Nevada in the operation of an intermediary service organization.

4. Conduct or practice detrimental to the health or safety of a person under contract with or employees of the intermediary service organization.

Sec. 136. NRS 449.4335 is hereby amended to read as follows:

449.4335 1. If an intermediary service organization violates any provision related to its certification, including, without limitation, any provision of NRS 449.4304 to 449.4339, inclusive, *and section 132 of this act* or any condition, standard or regulation adopted by the Board, the Division, in accordance with the regulations adopted pursuant to NRS 449.4336, may, as it deems appropriate:

(a) Prohibit the intermediary service organization from providing services pursuant to NRS 449.4308 until it determines that the intermediary service organization has corrected the violation;

(b) Impose an administrative penalty of not more than $1,000 per day for each violation, together with interest thereon at a rate not to exceed 10 percent per annum; and

(c) Appoint temporary management to oversee the operation of the intermediary service organization and to ensure the health and safety of the persons for whom the intermediary service organization performs services, until:

(1) It determines that the intermediary service organization has corrected the violation and has management which is capable of ensuring continued compliance with the applicable statutes, conditions, standards and regulations; or

(2) Improvements are made to correct the violation.

2. If the intermediary service organization fails to pay any administrative penalty imposed pursuant to paragraph (b) of subsection 1, the Division may:

(a) Suspend the certificate to operate an intermediary service organization which is held by the intermediary service organization until the administrative penalty is paid; and

(b) Collect court costs, reasonable attorney's fees and other costs incurred to collect the administrative penalty.

3. The Division may require any intermediary service organization that violates any provision of NRS 449.4304 to 449.4339, inclusive, *and section 132 of this act* or any condition, standard or regulation adopted by the Board, to make any improvements necessary to correct the violation.

4. Any money collected as administrative penalties pursuant to this section must be accounted for separately and used to protect the health or property of the persons for whom the intermediary service organization performs services in accordance with applicable federal standards.

Sec. 137. NRS 449.4338 is hereby amended to read as follows:

449.4338 1. Except as otherwise provided in subsection 2 of NRS 449.431, the Division may bring an action in the name of the State to

enjoin any person from operating or maintaining an intermediary service organization within the meaning of NRS 449.4304 to 449.4339, inclusive ~~[.]~~ , *and section 132 of this act:*

(a) Without first obtaining a certificate to operate an intermediary service organization; or

(b) After the person's certificate has been revoked or suspended by the Division.

2. It is sufficient in such action to allege that the defendant did, on a certain date and in a certain place, operate and maintain the intermediary service organization without a certificate.

Sec. 138. Chapter 450B of NRS is hereby amended by adding thereto a new section to read as follows:

1. The health authority shall not deny the application of a person for a license or certificate pursuant to NRS 450B.160 or 450B.180 based solely on his or her immigration status.

2. Notwithstanding the provisions of NRS 450B.187, an applicant for a license or certificate pursuant to NRS 450B.160 or 450B.180 who does not have a social security number must provide an alternative personally identifying number, including, without limitation, his or her individual taxpayer identification number, when completing an application.

3. The health authority shall not disclose to any person who is not employed by the health authority the social security number or alternative personally identifying number, including, without limitation, an individual taxpayer identification number, of an applicant for a license for any purpose except:

(a) Tax purposes;

(b) Licensing purposes; and

(c) Enforcement of an order for the payment of child support.

4. A social security number or alternative personally identifying number, including, without limitation, an individual taxpayer identification number, provided to the health authority is confidential and is not a public record for the purposes of chapter 239 of NRS.

Sec. 139. This act becomes effective upon passage and approval for the purpose of adopting regulations and performing any preliminary administrative tasks that are necessary to carry out the provisions of this act, and on July 1, 2019, for all other purposes.

Senator Spearman moved the adoption of the amendment.

Remarks by Senator Spearman.

Amendment No. 738 makes two changes to Assembly Bill No. 275. The amendment adds a preamble to the bill to declare that the provisions of this bill are not intended to and do not conflict with any federal immigration laws. It also amends section 114 to prohibit the Secretary of State from collecting the social security number or individual taxpayer identification number of any notary public or applicant for appointment as a notary public.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 458.

Bill read second time.

The following amendment was proposed by the Committee on Revenue and Economic Development:

Amendment No. 793.

SUMMARY—Revises provisions relating to certain tax credits for the Nevada Educational Choice Scholarship Program. (BDR 32-794)

AN ACT relating to taxation; revising provisions governing the amount of credits the Department of Taxation is authorized to approve against the modified business tax for taxpayers who donate money to a scholarship organization; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing law, financial institutions, mining businesses and other employers are required to pay an excise tax (the modified business tax) on wages paid by them. (NRS 363A.130, 363B.110) Existing law establishes a credit against the modified business tax equal to an amount which is approved by the Department of Taxation and which must not exceed the amount of any donation of money made by a taxpayer to a scholarship organization that provides grants on behalf of pupils who are members of a household with a household income of not more than 300 percent of the federally designated level signifying poverty to allow those pupils to attend schools in this State, including private schools, chosen by the parents or legal guardians of those pupils. (NRS 363A.139, 363B.119, 388D.270) Under existing law, the Department: (1) is required to approve or deny applications for the tax credit in the order in which the applications are received by the Department; and (2) is authorized to approve applications for each fiscal year until the amount of the tax credits approved for the fiscal year is the amount authorized by statute for that fiscal year. The amount of credits authorized for each fiscal year is equal to 110 percent of the amount authorized for the immediately preceding fiscal year, not including certain additional tax credits authorized for Fiscal Year 2017-2018. For Fiscal Year 2017-2018, the amount of credits authorized which are relevant for calculating the credits authorized in subsequent fiscal years is $6,050,000. Thus, for Fiscal Year 2018-2019, the amount of credits authorized is $6,655,000, plus any remaining amount of tax credits carried forward from the additional credit authorization made for Fiscal Year 2017-2018. (NRS 363A.139, 363B.119)

This bill eliminates the annual 110 percent increase in the amount of credits authorized and, instead, provides that the amount of credits authorized for each fiscal year is a total of $6,655,000, plus any remaining amount of tax credits carried forward from the additional credit authorization made for Fiscal Year 2017-2018.

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

Section 1. NRS 363A.139 is hereby amended to read as follows:

363A.139 1. Any taxpayer who is required to pay a tax pursuant to

NRS 363A.130 may receive a credit against the tax otherwise due for any donation of money made by the taxpayer to a scholarship organization in the manner provided by this section.

2. To receive the credit authorized by subsection 1, a taxpayer who intends to make a donation of money to a scholarship organization must, before making such a donation, notify the scholarship organization of the taxpayer's intent to make the donation and to seek the credit authorized by subsection 1. A scholarship organization shall, before accepting any such donation, apply to the Department of Taxation for approval of the credit authorized by subsection 1 for the donation. The Department of Taxation shall, within 20 days after receiving the application, approve or deny the application and provide to the scholarship organization notice of the decision and, if the application is approved, the amount of the credit authorized. Upon receipt of notice that the application has been approved, the scholarship organization shall provide notice of the approval to the taxpayer who must, not later than 30 days after receiving the notice, make the donation of money to the scholarship organization. If the taxpayer does not make the donation of money to the scholarship organization within 30 days after receiving the notice, the scholarship organization shall provide notice of the failure to the Department of Taxation and the taxpayer forfeits any claim to the credit authorized by subsection 1.

3. The Department of Taxation shall approve or deny applications for the credit authorized by subsection 1 in the order in which the applications are received.

4. Except as otherwise provided in subsection 5, the Department of Taxation may, for each fiscal year, approve applications for the credit authorized by subsection 1 until the total amount of the credits authorized by subsection 1 and approved by the Department of Taxation pursuant to this subsection *and subsection 4 of NRS 363B.119* is ~~[:~~

~~(a) For Fiscal Year 2015-2016, $5,000,000;~~

~~(b) For Fiscal Year 2016-2017, $5,500,000; and~~

~~(c) For each succeeding fiscal year, an amount equal to 110 percent of the amount authorized for the immediately preceding fiscal year.~~

~~➥]~~ *$6,655,000.* The amount of any credit which is forfeited pursuant to subsection 2 must not be considered in calculating the amount of credits authorized for any fiscal year.

5. In addition to the amount of credits authorized by subsection 4 for Fiscal Year 2017-2018, the Department of Taxation may approve applications for the credit authorized by subsection 1 for that fiscal year until the total amount of the credits authorized by subsection 1 and approved by the Department of Taxation pursuant to this subsection and subsection 5 of NRS 363B.119 is $20,000,000. The provisions of ~~[paragraph (c) of]~~ subsection 4 do not apply to the amount of credits authorized by this subsection and the amount of credits authorized by this subsection must not be considered when determining the amount of credits authorized for a fiscal year pursuant to ~~[that paragraph.]~~

subsection 4. If, in Fiscal Year 2017-2018, the amount of credits authorized by subsection 1 and approved pursuant to this subsection is less than $20,000,000, the remaining amount of credits pursuant to this subsection must be carried forward and made available for approval during subsequent fiscal years until the total amount of credits authorized by subsection 1 and approved pursuant to this subsection is equal to $20,000,000. The amount of any credit which is forfeited pursuant to subsection 2 must not be considered in calculating the amount of credits authorized pursuant to this subsection.

6. If a taxpayer applies to and is approved by the Department of Taxation for the credit authorized by subsection 1, the amount of the credit provided by this section is equal to the amount approved by the Department of Taxation pursuant to subsection 2, which must not exceed the amount of the donation made by the taxpayer to a scholarship organization. The total amount of the credit applied against the taxes described in subsection 1 and otherwise due from a taxpayer must not exceed the amount of the donation.

7. If the amount of the tax described in subsection 1 and otherwise due from a taxpayer is less than the credit to which the taxpayer is entitled pursuant to this section, the taxpayer may, after applying the credit to the extent of the tax otherwise due, carry the balance of the credit forward for not more than 5 years after the end of the calendar year in which the donation is made or until the balance of the credit is applied, whichever is earlier.

8. As used in this section, "scholarship organization" has the meaning ascribed to it in NRS 388D.260.

Sec. 2. NRS 363B.119 is hereby amended to read as follows:

363B.119 1. Any taxpayer who is required to pay a tax pursuant to NRS 363B.110 may receive a credit against the tax otherwise due for any donation of money made by the taxpayer to a scholarship organization in the manner provided by this section.

2. To receive the credit authorized by subsection 1, a taxpayer who intends to make a donation of money to a scholarship organization must, before making such a donation, notify the scholarship organization of the taxpayer's intent to make the donation and to seek the credit authorized by subsection 1. A scholarship organization shall, before accepting any such donation, apply to the Department of Taxation for approval of the credit authorized by subsection 1 for the donation. The Department of Taxation shall, within 20 days after receiving the application, approve or deny the application and provide to the scholarship organization notice of the decision and, if the application is approved, the amount of the credit authorized. Upon receipt of notice that the application has been approved, the scholarship organization shall provide notice of the approval to the taxpayer who must, not later than 30 days after receiving the notice, make the donation of money to the scholarship organization. If the taxpayer does not make the donation of money to the scholarship organization within 30 days after receiving the notice, the scholarship organization shall provide notice of the failure to the Department

of Taxation and the taxpayer forfeits any claim to the credit authorized by subsection 1.

3. The Department of Taxation shall approve or deny applications for the credit authorized by subsection 1 in the order in which the applications are received.

4. Except as otherwise provided in subsection 5, the Department of Taxation may, for each fiscal year, approve applications for the credit authorized by subsection 1 until the total amount of the credits authorized by subsection 1 and approved by the Department of Taxation pursuant to this subsection *and subsection 4 of NRS 363A.139* is ~~[:~~

~~(a) For Fiscal Year 2015-2016, $5,000,000;~~

~~(b) For Fiscal Year 2016-2017, $5,500,000; and~~

~~(c) For each succeeding fiscal year, an amount equal to 110 percent of the amount authorized for the immediately preceding fiscal year.~~

~~➥]~~ *$6,655,000*. The amount of any credit which is forfeited pursuant to subsection 2 must not be considered in calculating the amount of credits authorized for any fiscal year.

5. In addition to the amount of credits authorized by subsection 4 for Fiscal Year 2017-2018, the Department of Taxation may approve applications for the credit authorized by subsection 1 for that fiscal year until the total amount of the credits authorized by subsection 1 and approved by the Department of Taxation pursuant to this subsection and subsection 5 of NRS 363A.139 is $20,000,000. The provisions of ~~[paragraph (c) of]~~ subsection 4 do not apply to the amount of credits authorized by this subsection and the amount of credits authorized by this subsection must not be considered when determining the amount of credits authorized for a fiscal year pursuant to ~~[that paragraph.]~~ *subsection 4*. If, in Fiscal Year 2017-2018, the amount of credits authorized by subsection 1 and approved pursuant to this subsection is less than $20,000,000, the remaining amount of credits pursuant to this subsection must be carried forward and made available for approval during subsequent fiscal years until the total amount of credits authorized by subsection 1 and approved pursuant to this subsection is equal to $20,000,000. The amount of any credit which is forfeited pursuant to subsection 2 must not be considered in calculating the amount of credits authorized pursuant to this subsection.

6. If a taxpayer applies to and is approved by the Department of Taxation for the credit authorized by subsection 1, the amount of the credit provided by this section is equal to the amount approved by the Department of Taxation pursuant to subsection 2, which must not exceed the amount of the donation made by the taxpayer to a scholarship organization. The total amount of the credit applied against the taxes described in subsection 1 and otherwise due from a taxpayer must not exceed the amount of the donation.

7. If the amount of the tax described in subsection 1 and otherwise due from a taxpayer is less than the credit to which the taxpayer is entitled pursuant to this section, the taxpayer may, after applying the credit to the extent of the tax otherwise due, carry the balance of the credit forward for not more than

5 years after the end of the calendar year in which the donation is made or until the balance of the credit is applied, whichever is earlier.

8. As used in this section, "scholarship organization" has the meaning ascribed to it in NRS 388D.260.

Sec. 3. This act becomes effective upon passage and approval for the purpose of adopting regulations and performing any other administrative tasks that are necessary to carry out the provisions of this act, and on July 1, 2019, for all other purposes.

Senator Dondero Loop moved the adoption of the amendment.

Remarks by Senator Dondero Loop.

Amendment No. 793 to Assembly Bill No. 458 specifies that the amount of tax credits that may be authorized for each fiscal year is a total of $6,655,000 pursuant to both Nevada Revised Statute (NRS) 363A, the Modified Business Tax on Financial Institutions and Mining and NRS 363B, the Modified Business Tax on General Businesses combined, instead of $6,655,000 pursuant to NRS 363A and $6,655,000 pursuant to NRS 363B.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Joint Resolution No. 2.

Resolution read second time.

The following amendment was proposed by the Committee on Natural Resources:

Amendment No. 798.

SUMMARY—Urges Congress to reject any expansion in the use of land or exercise of jurisdiction by the United States Air Force in the Desert National Wildlife Refuge. (BDR R-697)

ASSEMBLY JOINT RESOLUTION—Urging Congress to oppose the expansion of the United States Air Force into the Desert National Wildlife Refuge in Nevada.

WHEREAS, The Desert National Wildlife Refuge was established in 1936 primarily to preserve the habitat necessary to protect the desert bighorn sheep; and

WHEREAS, At roughly 1.5 million acres in size, the Desert National Wildlife Refuge is the largest wildlife refuge in the lower 48 states and is home to over 320 species of birds, 52 species of mammals, nearly 40 species of amphibians and reptiles, including the federally protected desert tortoise, and over 500 species of plants; and

WHEREAS, Roughly 1.2 million acres of the Desert National Wildlife Refuge are currently proposed for designation as wilderness and have been managed by the United States Fish and Wildlife Service of the Department of the Interior as de facto wilderness since 1974; and

WHEREAS, The Nevada Test and Training Range was established in 1940 as an aerial gunnery and bombing range; and

WHEREAS, At approximately 2.9 million acres of land and nearly 16,000 square miles of airspace, the Nevada Test and Training Range is the largest contiguous air and ground space available for peacetime military

operations in the free world and is used by the United States Air Force for testing and evaluation of weapons systems, tactics development and advanced combat training; and

WHEREAS, The boundaries of the Desert National Wildlife Refuge and the Nevada Test and Training Range overlap to the extent that 55 percent of the total area of the Refuge – 826,000 acres – lies within the Range and is used for military purposes as well as for purposes of wildlife conservation; and

WHEREAS, With the exception of 112,000 acres located in the heart of the Desert National Wildlife Refuge over which the Air Force exercises primary jurisdiction, and which it uses as target impact areas for both live and inert ordinance, the United States Fish and Wildlife Service exercises primary jurisdiction over the shared lands, with the Air Force exercising only secondary jurisdiction; and

WHEREAS, Under the terms of the Military Lands Withdrawal Act of 1999, Public Law 106-65, the Air Force's authority over all 2.9 million acres of the Nevada Test and Training Range is limited to 20 years in duration, expires on November 6, 2021, and can only be extended by an act of Congress; and

WHEREAS, The Department of the Air Force has notified Congress that there is a continuing military need for the land and that the Air Force is preparing a proposal for submission to Congress that not only extends its existing use of the land, but seeks to expand that use in significant ways; and

WHEREAS, Although the Air Force has identified several alternatives for its future use of the Nevada Test and Training Range, its preferred alternative includes: (1) increasing the total size of the Range by over 300,000 additional acres, almost all of which are within the Desert National Wildlife Refuge; (2) giving the Air Force primary jurisdiction over all the jointly administered land within the Refuge or making other legislative changes to ensure that the Air Force has the same kind of "ready access" necessary to engage in testing and training for major combat operations to all such land within the Refuge that it currently has throughout the rest of the Range; and (3) in effect, rendering these new arrangements permanent by eliminating the usual 20-year time limit on Congressional grants of land for military purposes; and

WHEREAS, The Air Force's preferred alternative for the Nevada Test and Training Range, if approved by Congress, would eliminate wilderness protections from nearly 1 million acres of land within the Desert National Wildlife Refuge, increase the threats to the survival of the Desert Bighorn Sheep, desert tortoise and other imperiled wildlife, further restrict access to areas of historical, cultural, spiritual and recreational significance to Native and other Americans, and degrade the ability of future Congresses to exercise meaningful oversight of the Air Force's discharge of its environmental responsibilities within the Refuge; and

WHEREAS, The final legislative environmental impact statement also includes proposals that the United States Air Force designates as "Alternative 3A" and "Alternative 3A-1" to withdraw either 18,000 or 15,000 acres of land

outside the Desert National Wildlife Refuge, but near the town of Beatty, for incorporation into the Nevada Test and Training Range, which would result in substantial encroachment on the town of Beatty and result in significant negative impacts to the local economy, including losses of revenue from existing and planned trails, ecotourism activities and mining; and

WHEREAS, The Moapa Band of Paiutes have asserted in Tribal Resolution M-18-03-07 their opposition to an increase of the use and size of the Nevada Test and Training Range given that the Desert National Wildlife Refuge includes abundant ecological and cultural resources where the Southern Paiute people carved petroglyphs into rocks and left artifacts that help show how they thrived in the beautiful desert and mountain environment; now, therefore, be it

RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF NEVADA, JOINTLY, That the members of the 80th Session of the Nevada Legislature hereby urge Congress to reject any proposal by the United States Air Force to expand its use of land or exercise of jurisdiction within the Desert National Wildlife Refuge beyond that which it currently possesses and to limit any proposal to extend the Air Force's authority over the Nevada Test and Training Range to not more than 20 years; and be it further

RESOLVED, That the members of the 80th Session of the Nevada Legislature urge Congress to work collaboratively with all interested parties to develop a compromise alternative that would both enhance training opportunities for the United States Air Force and continue to provide essential protections for Nevada's wildlife and outdoor recreational experiences for Nevadans and visitors; and be it further

RESOLVED, That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to the Vice President of the United States as the presiding officer of the Senate, the Speaker of the House of Representatives and each member of the Nevada Congressional Delegation; and be it further

RESOLVED, That this resolution becomes effective upon passage.

Senator Scheible moved the adoption of the amendment.

Remarks by Senator Scheible.

Amendment No. 798 to Assembly Joint Resolution No. 2 adds a clause providing that the final Legislative Environmental Impact Statement on the proposed expansion by the United States Air Force includes certain alternatives to withdraw up to 18,000 acres of land near the town of Beatty, which would result in substantial encroachment on the town and significant negative impacts to the local economy.

Amendment adopted.

Resolution ordered reprinted, re-engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Senator Scheible moved that Assembly Bill No. 62 be taken from the General File and placed on the Secretary's desk, upon return from reprint.

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the President and Secretary signed Assembly Bills Nos. 117, 333, 499.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Ohrenschall, the privilege of the floor of the Senate Chamber for this day was extended to Richard G Campbell, Charles Tyler Campbell, Jacqueline Springer and Kelli Springer-Campbell.

Senator Cannizzaro moved that the Senate adjourn until Wednesday, May 22, 2019, at 11:00 a.m.

Motion carried.

Senate adjourned at 3:20 p.m.

Approved: KATE MARSHALL
President of the Senate

Attest: CLAIRE J. CLIFT
Secretary of the Senate