
ASSEMBLY BILL NO. 381—ASSEMBLYMEN TITUS,
BENITEZ-THOMPSON; HANSEN AND LEAVITT

MARCH 21, 2019

JOINT SPONSORS: SENATORS RATTI AND HARDY

Referred to Committee on Government Affairs

SUMMARY—Designates April 16 as “Healthcare Decisions Day”
in Nevada. (BDR 19-660)

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

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

AN ACT relating to days of observance; designating April 16 as
“Healthcare Decisions Day” in Nevada; and providing
other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law sets forth certain days of observance in this State to commemorate
2 certain persons or occasions or to publicize information regarding certain important
3 topics. (NRS 236.018-236.085) This bill designates April 16 of each year as
4 “Healthcare Decisions Day” in the State of Nevada.

1 WHEREAS, An advance directive for health care by a person
2 who is an adult, particularly if it is executed or revised after
3 conversations with the person’s loved ones and health care providers
4 about the person’s wishes concerning his or her health care, can help
5 to ensure that the person receives health care in accordance with his
6 or her wishes if the person becomes unable, for any reason, to
7 communicate those wishes for himself or herself; and

8 WHEREAS, Nevada law authorizes various kinds of advance
9 directives for health care, including a durable power of attorney for
10 health care decisions, a declaration governing the withholding or
11 withdrawal of life-sustaining treatment, a provider order for life-
12 sustaining treatment (POLST), an advance directive for psychiatric
13 care and a do-not-resuscitate order, and the Secretary of State



1 maintains an electronic registry of such advance directives on a
2 public website; and

3 WHEREAS, Despite the availability of those advance directives
4 which allow Nevadans to make known their wishes concerning their
5 health care if they are unable to communicate those wishes
6 themselves, many Nevadans are unaware of their availability and do
7 not have the appropriate conversations with their loved ones and
8 health care providers to make known their wishes; and

9 WHEREAS, The most significant reasons for the failure of more
10 Nevadans to execute advance directives include the lack of
11 awareness of the availability of such directives and considerable
12 confusion about advance health care planning and advance
13 directives; and

14 WHEREAS, Historically there has been a collaborative effort of
15 numerous national, state and community organizations that are
16 committed to ensuring that all adults with decision-making capacity
17 in the United States have the information and opportunity to
18 communicate and document their health care decisions and to
19 encourage designation of Healthcare Decisions Day; and

20 WHEREAS, The National Healthcare Decisions Day initiative is
21 intended to raise public awareness of the need to plan ahead for
22 health care decisions related to end of life care and medical
23 decision-making whenever patients are unable to speak for
24 themselves and to encourage the specific use of advance directives
25 to communicate these important health care decisions; and

26 WHEREAS, One of the principal goals of designating a
27 Healthcare Decisions Day is to encourage hospitals, nursing homes,
28 assisted living facilities, continuing care retirement communities,
29 and hospice facilities to participate in a statewide effort to provide
30 clear and consistent information to the public about advance
31 directives and increase the number of Nevadans who have an
32 advance directive; and

33 WHEREAS, The Legislature wishes to encourage all Nevadans to
34 have conversations about their wishes concerning their health care
35 and to execute advance directives to make those wishes known, and
36 to ensure that fewer Nevada families and health care providers will
37 have to struggle with making difficult health care decisions in
38 the absence of knowledge of the wishes of the patient; now,
39 therefore,



1 THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
2 SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:
3

4 **Section 1.** Chapter 236 of NRS is hereby amended by adding
5 thereto a new section to read as follows:

6 *1. April 16 of each year is designated as "Healthcare*
7 *Decisions Day" in the State of Nevada.*

8 *2. The Governor shall issue annually a proclamation*
9 *encouraging the observance of "Healthcare Decisions Day." The*
10 *proclamation must, without limitation, call upon the news media,*
11 *state and local officers, hospitals, nursing homes, assisted living*
12 *facilities, continuing care retirement communities, hospice*
13 *facilities, private nonprofit groups and foundations, and other*
14 *public and private entities to bring to the attention of the adults in*
15 *this State the importance of discussing the manner in which they*
16 *would like to have their health care wishes carried out and of*
17 *using an advance directive to express those wishes.*

18 **Sec. 2.** This act becomes effective upon passage and approval.

