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FIRST REPRINT

A.B. 463

ASSEMBLY BILL NO. 463—COMMITTEE ON WAYS AND MEANS

(ON BEHALF OF THE OFFICE OF FINANCE  
IN THE OFFICE OF THE GOVERNOR)

APRIL 13, 2023

Referred to Committee on Health and Human Services

SUMMARY—Revises provisions governing child care facilities and certain child care programs. (BDR 38-1083)

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

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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 children; transferring certain duties and authority related to the licensing and regulation of certain child care facilities from the Division of Public and Behavioral Health of the Department of Health and Human Services to the Division of Welfare and Supportive Services of the Department; revising the membership of the Nevada Early Childhood Advisory Council; revising provisions governing the inspection and review of child care facilities; revising provisions governing the inspection and approval of certain fire facilities by certain protection officials and agencies; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law requires a child care facility to obtain a license from the Division  
2 of Public and Behavioral Health of the Department of Health and Human Services  
3 if: (1) the city or county in which the child care facility is located has not provided  
4 for the licensure of child care facilities by an agency of the city or county, as  
5 applicable; or (2) the child care facility is a child care institution. (NRS 432A.131)  
6 Existing law defines “child care institution” for that purpose to mean a facility that  
7 provides care and shelter during the day and night and provides developmental  
8 guidance to 16 or more children who do not routinely return to the homes of their  
9 parents or guardians. (NRS 432A.0245) **Section 4** of this bill transfers the authority  
10 to license and regulate such child care facilities from the Division of Public and  
11 Behavioral Health to the Division of Welfare and Supportive Services of the  
12 Department. **Section 1** of this bill authorizes an employee of the Division of



\* A B 4 6 3 R 1 \*

13 Welfare and Supportive Services to access the Statewide Central Registry for the  
14 Collection of Information Concerning the Abuse or Neglect of a Child when  
15 investigating the background of certain persons associated with a child care facility,  
16 small child care establishment or outdoor youth program. **Section 2** of this bill  
17 defines "Administrator" to refer to the Administrator of the Division of Welfare  
18 and Supportive Services, and **section 3** of this bill makes a conforming change to  
19 indicate the proper placement of **section 2** in the Nevada Revised Statutes. **Sections**  
20 **6-8** of this bill transfer to the Administrator: (1) the duties to establish a policy for  
21 the coordination of entities with an interest in child care and to inspect child care  
22 facilities; and (2) the authority to waive certain education requirements for a person  
23 who is responsible for the operation of a child care facility. **Sections 9 and 10** of  
24 this bill make revisions so that certain reports relating to the immunization of  
25 children who have been admitted to child care facilities continue to be submitted to  
26 the Division of Public and Behavioral Health. **Section 11** of this bill transfers to the  
27 Division of Welfare and Supportive Services the duty to conduct a review of a child  
28 care facility that has been found by a legislative audit to have certain deficiencies.

29 Existing law establishes the Nevada Early Childhood Advisory Council and  
30 requires the Council to include certain members appointed by the Governor. (NRS  
31 432A.076) **Section 5** of this bill eliminates the requirement that the Council include  
32 one member who is a representative of the Division of Public and Behavioral  
33 Health. **Section 5** adds to the membership of the Council: (1) one member who is a  
34 representative of the Division of Welfare and Supportive Services whose duties  
35 include responsibility for child care; (2) one member who is a representative of that  
36 Division whose duties include implementing regulations governing the licensure of  
37 child care facilities; and (3) one member who is a representative of a tribal  
38 organization, with consideration given to an enrolled member of a Nevada Indian  
39 tribe.

40 Existing law: (1) requires the State Fire Marshal or a designee thereof to enter  
41 and inspect every building or premises of a child care facility and supervise fire  
42 drills at such a facility; and (2) provides that certain health care facilities are subject  
43 to inspection and approval by the State Fire Marshal. (NRS 432A.180, 449.0307)  
44 **Section 8** provides that the State Fire Marshal or a designee is authorized, rather  
45 than required, to inspect child care facilities and supervise fire drills at such  
46 facilities. **Section 8** also authorizes the State Fire Marshal to designate a local fire  
47 agency that meets an industry standard accepted by the State Fire Marshal to  
48 perform those duties. Finally, **section 8** requires the State Board of Health to adopt  
49 regulations governing such inspections. **Section 11.5** of this bill authorizes a  
50 designee of the State Fire Marshal, which may include a local fire agency that  
51 meets an industry standard accepted by the State Fire Marshal, to inspect and  
52 approve certain health care facilities. **Section 11.8** of this bill makes a conforming  
53 change to clarify that the State Fire Marshal is authorized to designate such a local  
54 fire agency to conduct certain inspections of a residential facility for groups or a  
55 building operated by a provider of community-based living arrangement services.

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

1 **Section 1.** NRS 432.100 is hereby amended to read as follows:  
2 432.100 1. There is hereby established a Statewide Central  
3 Registry for the Collection of Information Concerning the Abuse or  
4 Neglect of a Child. This Central Registry must be maintained by the  
5 Division.



1 2. The Central Registry must contain:

2 (a) The information in any substantiated report of child abuse or  
3 neglect made pursuant to NRS 392.303 or 432B.220;

4 (b) The information in any substantiated report of a violation of  
5 NRS 201.540, 201.560, 392.4633 or 394.366 made pursuant to  
6 NRS 392.303;

7 (c) Statistical information on the protective services provided in  
8 this State; and

9 (d) Any other information which the Division determines to be  
10 in furtherance of NRS 392.275 to 392.365, inclusive, 432.097 to  
11 432.130, inclusive, and 432B.010 to 432B.400, inclusive.

12 3. The Division may release information contained in the  
13 Central Registry to an employer if:

14 (a) The person who is the subject of a background investigation  
15 by the employer provides written authorization for the release of the  
16 information; and

17 (b) Either:

18 (1) The employer is required by law to conduct the  
19 background investigation of the person for employment purposes; or

20 (2) The person who is the subject of the background  
21 investigation could, in the course of his or her employment, have  
22 regular and substantial contact with children or regular and  
23 substantial contact with elderly persons who require assistance or  
24 care from other persons,

25 ↪ but only to the extent necessary to inform the employer whether  
26 the person who is the subject of the background investigation has  
27 been found to have abused or neglected a child.

28 4. Except as otherwise provided in this section or by specific  
29 statute, information in the Central Registry may be accessed only  
30 by:

31 (a) An employee of the Division;

32 (b) An agency which provides child welfare services;

33 (c) An employee of the Division of ~~Public and Behavioral~~  
34 ~~Health~~ *Welfare and Supportive Services* of the Department who is  
35 obtaining information in accordance with NRS 432A.170; and

36 (d) With the approval of the Administrator, an employee or  
37 contractor of any other state or local governmental agency  
38 responsible for the welfare of children who requests access to the  
39 information and who demonstrates to the satisfaction of the  
40 Administrator a bona fide need to access the information. Any  
41 approval or denial of a request submitted in accordance with this  
42 paragraph is at the sole discretion of the Administrator.

43 **Sec. 2.** Chapter 432A of NRS is hereby amended by adding  
44 thereto a new section to read as follows:

45 ***“Administrator” means the Administrator of the Division.***



1       **Sec. 3.** NRS 432A.020 is hereby amended to read as follows:  
2       432A.020 As used in this chapter, unless the context otherwise  
3 requires, the words and terms defined in NRS 432A.0205 to  
4 432A.0295, inclusive, *and section 2 of this act* have the meanings  
5 ascribed to them in those sections.

6       **Sec. 4.** NRS 432A.0273 is hereby amended to read as follows:  
7       432A.0273 “Division” means the Division of ~~Public and~~  
8 ~~Behavioral Health~~ *Welfare and Supportive Services* of the  
9 Department.

10       **Sec. 5.** NRS 432A.076 is hereby amended to read as follows:  
11       432A.076 1. The Nevada Early Childhood Advisory Council  
12 is hereby established as the state advisory council on early  
13 childhood education and care required to be established pursuant to  
14 42 U.S.C. § 9837b(b)(1)(A)(i). The membership of the Council  
15 must be appointed by the Governor and include, without limitation:

16       (a) One member who is a representative of the Division ~~of~~  
17 ~~Public and Behavioral Health of the Department~~ whose duties  
18 include responsibility for child care;

19       (b) *One member who is a representative of the Division whose*  
20 *duties include implementing regulations governing the licensure*  
21 *of child care facilities;*

22       (c) One member who is a representative of the Department of  
23 Education;

24       ~~(e)~~ (d) One member who is a representative of the Department  
25 of Education whose duties include responsibilities for programs  
26 under section 619 or part C of the Individuals with Disabilities  
27 Education Act, 20 U.S.C. §§ 1400 et seq.;

28       ~~(d)~~ (e) One member who is a representative of the boards of  
29 trustees of the school districts in this State;

30       ~~(e)~~ (f) One member who is a representative of the Nevada  
31 System of Higher Education;

32       ~~(f)~~ (g) One member who is a representative of local providers  
33 of early childhood education and developmental services;

34       ~~(g)~~ (h) One member who is a representative of Head Start  
35 agencies in this State, including, without limitation, migrant and  
36 seasonal Head Start programs and Indian Head Start programs;

37       ~~(h)~~ (i) One member who is appointed or designated pursuant  
38 to 42 U.S.C. § 9837b(a)(3)(A);

39       ~~(i)~~ (j) One member who is a representative of the Aging and  
40 Disability Services Division of the Department;

41       ~~(j)~~ (k) One member who is a representative of a nonprofit  
42 organization located in southern Nevada that provides early  
43 childhood education programs;



1 ~~(k)~~ (l) One member who is a representative of a nonprofit  
2 organization located in northern Nevada that provides early  
3 childhood education programs;

4 ~~(j)~~ (m) One member who is a representative of the pediatric  
5 mental, physical or behavioral health care industry; ~~and~~

6 ~~(m)~~ (n) *One member who is a representative of a tribal*  
7 *organization, with consideration given to an enrolled member of a*  
8 *Nevada Indian tribe; and*

9 (o) Such other members as the Governor determines are  
10 appropriate.

11 2. The Council shall:

12 (a) Work to strengthen state-level coordination and collaboration  
13 among the various sectors and settings of early childhood education  
14 programs.

15 (b) Conduct periodic statewide assessments of needs relating to  
16 the quality and availability of programs and services for children  
17 who are in early childhood education programs.

18 (c) Identify opportunities for and barriers to coordination and  
19 collaboration among early childhood education programs funded in  
20 whole or in part by the Federal Government, the State or a local  
21 government.

22 (d) Develop recommendations for:

23 (1) Increasing the participation of children in early childhood  
24 education programs funded in whole or in part by the Federal  
25 Government, the State or a local government, including, without  
26 limitation, providing information on such programs to  
27 underrepresented and special populations;

28 (2) The establishment or improvement of core elements of  
29 the early childhood system in this State, including, without  
30 limitation, a statewide unified system for collecting data relating to  
31 early childhood education programs;

32 (3) A statewide professional development system for  
33 teachers engaged in early childhood education; and

34 (4) The establishment of statewide standards for early  
35 childhood education programs in this State.

36 (e) Assess the capacity and effectiveness of institutions of  
37 higher education in this State in developing teachers in the field of  
38 early childhood education.

39 (f) Establish, in cooperation with the State Board of Education,  
40 guidelines for evaluating the school readiness of children. The  
41 guidelines must:

42 (1) Be based on national school readiness indicators;

43 (2) Address the following components of school readiness:

44 (I) Physical and developmental health;

45 (II) Social and emotional development;



- (III) Approaches to learning;
- (IV) Language and early literacy development; and
- (V) Cognition and general knowledge.

(g) Develop recommendations for increasing parental involvement and family engagement in early childhood education programs.

(h) Perform such other duties relating to early childhood education programs as designated by the Governor.

3. On or before December 1 of each year, the Council shall submit a report to the Governor and to the Director of the Legislative Counsel Bureau for transmittal to the Joint Interim Standing Committee on Health and Human Services and the Joint Interim Standing Committee on Education, if the report is received during an odd-numbered year, or to the next session of the Legislature, if the report is received during an even-numbered year. The report must include, without limitation, a summary of the activities of the Council and any recommendations for improvements to the early childhood system in this State.

4. The Council may accept gifts, grants and donations from any source for the support of the Council in carrying out the provisions of this section.

**Sec. 6.** NRS 432A.079 is hereby amended to read as follows:

432A.079 1. The ~~{Board}~~ *Administrator* shall establish a policy providing for coordination among all interested public, private and commercial agencies or entities to foster their cooperation in the interests of:

(a) Improving the quality of child care services offered by each participating agency and entity.

(b) Ensuring continuity in the program of community child care for each family.

(c) Reaching the maximum number of families possible within available resources, with top priority given to low-income families.

(d) Increasing opportunities for developing staff competence and career development within and between cooperating agencies and entities.

(e) Developing the most efficient, effective and economical methods for providing services to children and families.

(f) Ensuring an effective voice by parents of children receiving child care in the policy for and direction of programs.

(g) Mobilizing the resources of the community in such a manner as to ensure maximum public, private and individual commitment to provide expanded child care.

2. Such a policy must be primarily concerned with the coordination of day care and preschool programs, and also be concerned with:



1 (a) Availability of other needed services for children in  
2 preschool or day care programs;

3 (b) Availability of needed services for children of school age;  
4 and

5 (c) Coordination of community services with preschool or day  
6 care programs.

7 **Sec. 7.** NRS 432A.1773 is hereby amended to read as follows:

8 432A.1773 1. A licensee of a child care facility, or a person  
9 appointed by the licensee, who is responsible for the daily operation,  
10 administration or management of a child care facility must:

11 (a) Be at least 21 years of age and:

12 (1) Hold an associate's degree or a higher degree in early  
13 childhood education and have at least 1,000 hours of verifiable  
14 experience in a child care facility;

15 (2) Hold an associate's degree or a higher degree in any field  
16 other than early childhood education, have completed at least 15  
17 semester hours in early childhood education or related courses and  
18 have at least 2,000 hours of verifiable experience in a child care  
19 facility;

20 (3) Hold a high school diploma or, if approved by the  
21 Administrator, ~~[of the Division of Public and Behavioral Health,]~~ a  
22 general educational development certificate, have completed at least  
23 15 semester hours in early childhood education or related courses  
24 and have at least 3,000 hours of experience in a child care facility;

25 (4) Hold a current credential as a "Child Development  
26 Associate" with an endorsement for preschool age children or  
27 infants or toddlers, as appropriate, which has been issued by the  
28 Council for Professional Recognition, or its successor organization,  
29 and have at least 2,000 hours of verifiable experience in a child care  
30 facility; or

31 (5) Have a combination of education and experience which,  
32 in the judgment of the Administrator, ~~[of the Division of Public and  
33 Behavioral Health,]~~ is equivalent to that required by subparagraph  
34 (1), (2), (3) or (4);

35 (b) Have at least 1,000 verifiable hours in an administrative  
36 position or have completed a course or other training in business  
37 administration; and

38 (c) Within 90 days after the licensee or person appointed by the  
39 licensee commences service as the director of a child care facility,  
40 apply to the Nevada Registry or its successor organization, and  
41 annually renew his or her registration before the date on which it  
42 expires.

43 2. As used in this section, "Nevada Registry" means the  
44 organization that operates the statewide system of career  
45 development and recognition created to:



1 (a) Acknowledge and encourage professional achievement in the  
2 early childhood care and education workforce in this State;

3 (b) Establish a professional development system in this State for  
4 the field of early childhood care and education;

5 (c) Approve and track all informal training in the field of early  
6 childhood care and education in this State; and

7 (d) Act as a statewide clearinghouse of information concerning  
8 the field of early childhood care and education.

9 **Sec. 8.** NRS 432A.180 is hereby amended to read as follows:

10 432A.180 1. Any authorized member or employee of the  
11 Division may enter and inspect any building or premises of a child  
12 care facility or small child care establishment, whether registered or  
13 not, or the area of operation of an outdoor youth program at any  
14 time to secure compliance with or prevent a violation of any  
15 provision of this chapter.

16 2. The State Fire Marshal or a designee of the State Fire  
17 Marshal ~~[shall, at least annually:]~~, *which may include a local fire*  
18 *agency that meets an industry standard accepted by the State*  
19 *Fire Marshal, may, in accordance with regulations adopted by the*  
20 *Board:*

21 (a) Enter and inspect every building or premises of a child care  
22 facility, on behalf of the Division; and

23 (b) Observe and make recommendations regarding the drills  
24 conducted pursuant to NRS 432A.077,

25 *↳ to secure compliance with standards for safety from fire and other*  
26 *emergencies.*

27 3. The ~~[Chief Medical Officer]~~ *Administrator* or a designee of  
28 the ~~[Chief Medical Officer]~~ *Administrator* shall enter and inspect at  
29 least annually, every building or premises of a child care facility and  
30 area of operation of an outdoor youth program ~~[, on behalf of the~~  
31 ~~Division,]~~ to secure compliance with laws and regulations  
32 concerning the health, safety and welfare of children in the care of  
33 the facility or program.

34 4. The annual inspection of any child care facility which  
35 occasionally or regularly has physical custody of children pursuant  
36 to the order of a court must include, without limitation, an  
37 inspection of all areas where food is prepared and served,  
38 bathrooms, areas used for sleeping, common areas and areas located  
39 outdoors that are used by children at the child care facility. The  
40 ~~[Chief Medical Officer]~~ *Administrator* shall publish reports of the  
41 inspections and make them available for public inspection upon  
42 request.

43 **Sec. 9.** NRS 432A.230 is hereby amended to read as follows:

44 432A.230 Except as otherwise provided in NRS 432A.235 for  
45 accommodation facilities:





1 1. Except as otherwise provided in subsection 3 and unless  
2 excused because of religious belief or medical condition, a child  
3 may not be admitted to any child care facility within this State,  
4 including a facility licensed by a county or city, unless the parents or  
5 guardian of the child submit to the operator of the facility a  
6 certificate stating that the child has been immunized and has  
7 received proper boosters for that immunization or is complying with  
8 the schedules established by regulation pursuant to NRS 439.550 for  
9 the following diseases:

- 10 (a) Diphtheria;
- 11 (b) Tetanus;
- 12 (c) Pertussis if the child is under 6 years of age;
- 13 (d) Poliomyelitis;
- 14 (e) Rubella;
- 15 (f) Rubeola; and
- 16 (g) Such other diseases as the local board of health or the State  
17 Board of Health may determine.

18 2. The certificate must show that the required vaccines and  
19 boosters were given and must bear the signature of a licensed  
20 physician or his or her designee or a registered nurse or his or her  
21 designee, attesting that the certificate accurately reflects the child's  
22 record of immunization.

23 3. A child whose parent or guardian has not established a  
24 permanent residence in the county in which a child care facility is  
25 located and whose history of immunization cannot be immediately  
26 confirmed by a physician in this State or a local health officer, may  
27 enter the child care facility conditionally if the parent or guardian:

- 28 (a) Agrees to submit within 15 days a certificate from a  
29 physician or local health officer that the child has received or is  
30 receiving the required immunizations; and
- 31 (b) Submits proof that the parent or guardian has not established  
32 a permanent residence in the county in which the facility is located.

33 4. If a certificate from the physician or local health officer  
34 showing that the child has received or is receiving the required  
35 immunizations is not submitted to the operator of the child care  
36 facility within 15 days after the child was conditionally admitted,  
37 the child must be excluded from the facility.

38 5. Before December 31 of each year, each child care facility  
39 shall report to the Division *of Public and Behavioral Health* of the  
40 Department, on a form furnished by ~~the~~ that Division, the exact  
41 number of children who have:

- 42 (a) Been admitted conditionally to the child care facility; and
- 43 (b) Completed the immunizations required by this section.



1       **Sec. 10.** NRS 432A.235 is hereby amended to read as follows:  
2       432A.235 1. Except as otherwise provided in subsection 2  
3 and unless excused because of religious belief or medical condition,  
4 a child may not be admitted to any accommodation facility within  
5 this State, including an accommodation facility licensed by a county  
6 or city, unless the parents or guardian of the child submit to the  
7 operator of the accommodation facility written documentation  
8 stating that the child has been immunized and has received proper  
9 boosters for that immunization or is complying with the schedules  
10 established by regulation pursuant to NRS 439.550 for the diseases  
11 set forth in subsection 1 of NRS 432A.230. The written  
12 documentation required pursuant to this subsection must be:

13       (a) A letter signed by a licensed physician stating that the child  
14 has been immunized and received boosters or is complying with the  
15 schedules;

16       (b) A record from a public school or private school which  
17 establishes that a child is enrolled in the school and has satisfied the  
18 requirements for immunization for enrollment in the school pursuant  
19 to NRS 392.435 or 394.192; or

20       (c) Any other documentation from a local health officer which  
21 proves that the child has been immunized and received boosters or is  
22 complying with the schedules.

23       2. A child whose parent or guardian has not established a  
24 permanent residence in the county in which an accommodation  
25 facility is located and whose history of immunization cannot be  
26 immediately confirmed by the written documentation required  
27 pursuant to subsection 1 may enter the accommodation facility  
28 conditionally if the parent or guardian:

29       (a) Agrees to submit within 15 days the documentation required  
30 pursuant to subsection 1; and

31       (b) Submits proof that the parent or guardian has not established  
32 a permanent residence in the county in which the facility is located.

33       3. If the documentation required pursuant to subsection 1 is not  
34 submitted to the operator of the accommodation facility within 15  
35 days after the child was conditionally admitted, the child must be  
36 excluded from the facility.

37       4. Before December 31 of each year, each accommodation  
38 facility shall report to the Division *of Public and Behavioral Health*  
39 of the Department, on a form furnished by ~~the~~ that Division, the  
40 exact number of children who have:

41       (a) Been admitted conditionally to the accommodation facility;  
42 and

43       (b) Completed the immunizations required by this section.

44       5. To the extent that the Board or an agency for the licensing of  
45 child care facilities established by a county or city requires a child



1 care facility to maintain proof of immunization of a child admitted  
2 to the facility, the Board or agency shall authorize a business which  
3 operates more than one accommodation facility to maintain proof of  
4 immunization of a child admitted to any accommodation facility of  
5 the business at a single location of the business. The documentation  
6 must be accessible by each accommodation facility of the business.

7 **Sec. 11.** NRS 218G.595 is hereby amended to read as follows:

8 218G.595 1. Not later than 45 days after receiving a report  
9 pursuant to NRS 218G.590 concerning a child care facility licensed  
10 pursuant to chapter 432A of NRS, the Division of ~~[Public and~~  
11 ~~Behavioral Health]~~ *Welfare and Supportive Services* of the  
12 Department of Health and Human Services or the county or  
13 incorporated city from which the facility has obtained a license  
14 pursuant to NRS 432A.131, as applicable, shall review the facility to  
15 which the report pertains to determine whether the facility has  
16 corrected the deficiencies described in the report. The review may  
17 include a physical inspection of the facility at the discretion of the  
18 Division, county or city, as applicable.

19 2. After conducting a review pursuant to subsection 1, the  
20 Division, county or city shall provide a report of its determinations  
21 to the Legislative Auditor. The report must include:

22 (a) A determination of whether the deficiencies described in the  
23 report of the Legislative Auditor or the Legislative Auditor's  
24 designee have been resolved;

25 (b) If the deficiencies described in the report of the Legislative  
26 Auditor or the Legislative Auditor's designee have not been  
27 resolved, a description of the measures being taken by the facility to  
28 resolve the deficiencies, a determination of whether those measures  
29 are adequate and the expected date by which the deficiencies will be  
30 resolved; and

31 (c) A statement of any issues of fact or law on which the  
32 Division, county or city, as applicable, disagrees with the report of  
33 the Legislative Auditor or the Legislative Auditor's designee.

34 3. If the Division, county or city concludes, after a review  
35 conducted pursuant to subsection 1, that a child care facility has not  
36 resolved a deficiency described in the report of the Legislative  
37 Auditor or the Legislative Auditor's designee, the Division, county  
38 or city, as applicable, shall, not later than 30 days after completing  
39 the review:

40 (a) Provide a copy of its report to each court or other  
41 governmental agency that places children in the facility and post the  
42 report publicly on an Internet website maintained by the Division,  
43 county or city, as applicable; and

44 (b) Schedule another review of the facility which must be  
45 conducted not later than 30 days after the review conducted



1 pursuant to subsection 1. After the review conducted pursuant to this  
2 paragraph, the Division, county or city, as applicable, shall take the  
3 actions described in subsection 2 and, if necessary, this subsection.

4 4. The Legislative Auditor or the Legislative Auditor's  
5 designee shall include any information provided by the Division, a  
6 county or an incorporated city concerning any deficiency identified  
7 at a child care facility in any report issued by the Legislative  
8 Auditor or the Legislative Auditor's designee concerning the  
9 inspections, reviews and surveys required by NRS 218G.575.

10 5. This section shall not be construed to prohibit or limit the  
11 ability of:


12 (a) A licensing entity to impose sanctions on a facility for  
13 children under its jurisdiction; or

14 (b) A law enforcement agency to respond to criminal conduct at  
15 a facility for children.

16 6. As used in this section, "child care facility" has the meaning  
17 ascribed to it in NRS 432A.024.

18 **Sec. 11.5.** NRS 449.0307 is hereby amended to read as  
19 follows:

20 449.0307 The Division may:

21 1. Upon receipt of an application for a license, conduct an  
22 investigation into the premises, facilities, qualifications of  
23 personnel, methods of operation, policies and purposes of any  
24 person proposing to engage in the operation of a medical facility, a  
25 facility for the dependent or facility which is required by the  
26 regulations adopted by the Board pursuant to NRS 449.0303 to be  
27 licensed. The facility is subject to inspection and approval as to  
28 standards for safety from fire, on behalf of the Division, by the State  
29 Fire Marshal  or a designee of the State Fire Marshal, which  
30 may include a local fire agency that meets an industry standard  
31 accepted by the State Fire Marshal.

32 2. Upon receipt of a complaint against a medical facility,  
33 facility for the dependent or facility which is required by the  
34 regulations adopted by the Board pursuant to NRS 449.0303 to be  
35 licensed, except for a complaint concerning the cost of services,  
36 conduct an investigation into the premises, facilities, qualifications  
37 of personnel, methods of operation, policies, procedures and records  
38 of that facility or any other medical facility, facility for the  
39 dependent or facility which is required by the regulations adopted  
40 by the Board pursuant to NRS 449.0303 to be licensed which may  
41 have information pertinent to the complaint.

42 3. Employ such professional, technical and clerical assistance  
43 as it deems necessary to carry out the provisions of NRS 449.029 to  
44 449.245, inclusive.



1     **Sec. 11.8.** NRS 449.131 is hereby amended to read as follows:  
2     449.131 1. Any authorized member or employee of the  
3 Division may enter and inspect any building or premises at any time  
4 to secure compliance with or prevent a violation of any provision of  
5 NRS 449.029 to 449.245, inclusive.

6     2. The State Fire Marshal or a designee of the State Fire  
7 Marshal , *which may include a local fire agency that meets an*  
8 *industry standard accepted by the State Fire Marshal*, shall, upon  
9 receiving a request from the Division or a written complaint  
10 concerning compliance with the plans and requirements to respond  
11 to an emergency adopted pursuant to subsection 9 of  
12 NRS 449.0302:

13     (a) Enter and inspect a residential facility for groups or a  
14 building operated by a provider of community-based living  
15 arrangement services in which such services are provided; and

16     (b) Make recommendations regarding the adoption of plans and  
17 requirements pursuant to subsection 9 of NRS 449.0302,  
18 ↪ to ensure the safety of the residents of the facility or persons  
19 receiving care from the provider, as applicable, in an emergency.

20     3. The Chief Medical Officer or a designee of the Chief  
21 Medical Officer shall enter and inspect at least annually each  
22 building or the premises of a residential facility for groups and each  
23 building operated by a provider of community-based living  
24 arrangement services in which such services are provided to ensure  
25 compliance with standards for health and sanitation.

26     4. An authorized member or employee of the Division shall  
27 enter and inspect any building or premises operated by a residential  
28 facility for groups or provider of community-based living  
29 arrangement services within 72 hours after the Division is notified  
30 that a residential facility for groups or provider of community-based  
31 living arrangement services is operating without a license.

32     **Sec. 12.** 1. Any administrative regulations adopted by an  
33 officer or an agency whose name has been changed or whose  
34 responsibilities have been transferred pursuant to the provisions of  
35 this act to another officer or agency remain in force until amended  
36 by the officer or agency to which the responsibility for the adoption  
37 of the regulations has been transferred.

38     2. Any contracts or other agreements entered into by an officer  
39 or agency whose name has been changed or whose responsibilities  
40 have been transferred pursuant to the provisions of this act to  
41 another officer or agency are binding upon the officer or agency to  
42 which the responsibility for the administration of the provisions of  
43 the contract or other agreement has been transferred. Such contracts  
44 and other agreements may be enforced by the officer or agency to



1 which the responsibility for the enforcement of the provisions of the  
2 contract or other agreement has been transferred.

3 3. Any action taken by an officer or agency whose name has  
4 been changed or whose responsibilities have been transferred  
5 pursuant to the provisions of this act to another officer or agency  
6 remains in effect as if taken by the officer or agency to which the  
7 responsibility for the enforcement of such actions has been  
8 transferred.

9 **Sec. 13.** The Legislative Counsel shall:

10 1. In preparing the reprint and supplements to the Nevada  
11 Revised Statutes, appropriately change any references to an officer,  
12 agency or other entity whose name is changed or whose  
13 responsibilities are transferred pursuant to the provisions of this act  
14 to refer to the appropriate officer, agency or other entity.

15 2. In preparing supplements to the Nevada Administrative  
16 Code, appropriately change any references to an officer, agency or  
17 other entity whose name is changed or whose responsibilities are  
18 transferred pursuant to the provisions of this act to refer to the  
19 appropriate officer, agency or other entity.

20 **Sec. 14.** This act becomes effective on July 1, 2023.

