

SENATE BILL NO. 192—COMMITTEE ON  
HEALTH AND HUMAN SERVICES

FEBRUARY 22, 2023

Referred to Committee on Health and Human Services

SUMMARY—Revises provisions relating to county hospitals.  
(BDR 40-749)

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 county hospitals; revising provisions governing meetings of a board of hospital trustees; revising certain provisions related to a hospital advisory board; authorizing a board of hospital trustees or hospital governing board to employ dentists; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law authorizes a county or group of counties to establish a public  
2 hospital. (NRS 450.020) Existing law also: (1) provides for a board of hospital  
3 trustees for a public hospital, which has general powers and duties relating to  
4 establishing and maintaining a public hospital; (2) authorizes the appointment of a  
5 hospital advisory board in counties where the board of county commissioners is the  
6 board of hospital trustees; and (3) requires such a hospital advisory board to  
7 exercise the powers and duties delegated to it by the board of hospital trustees.  
8 (NRS 450.070, 450.150, 450.175) **Section 2** of this bill changes the name of a  
9 “hospital advisory board” to a “hospital governing board” and requires such a board  
10 to adopt bylaws and related policies and procedures.

11 Existing law requires a board of hospital trustees to hold meetings and  
12 authorizes the board of hospital trustees to hold a closed meeting to discuss  
13 providing or expanding a health care service or acquiring or expanding a facility.  
14 (NRS 450.140) **Section 1** of this bill also authorizes a board of hospital trustees or a  
15 hospital governing board to hold a closed meeting to discuss: (1) privileged or  
16 confidential matters before an organized committee of a county hospital in  
17 deliberating the character, alleged misconduct, professional competence, or  
18 physical or mental health of a provider of health care; and (2) a report related to the  
19 compliance of the county hospital with all laws, regulations and rulemaking  
20 guidance of the Centers for Medicare and Medicaid Services of the United States  
21 Department of Health and Human Services or a report related to any conditions of  
22 participation in the Medicare or Medicaid programs. **Section 3** of this bill makes a



23 conforming change to exempt a closed meeting held pursuant to **section 1** from the  
24 Open Meeting Law.

25 Existing law authorizes a board of hospital trustees of a public hospital to  
26 employ physicians and interns on a full-time or part-time basis, and fix their  
27 compensations. (NRS 450.180) **Section 2.5** of this bill authorizes a board of  
28 hospital trustees or any hospital governing board appointed pursuant to **section 1** to  
29 employ dentists and fix their compensation.

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

1 **Section 1.** NRS 450.140 is hereby amended to read as follows:

2 450.140 1. The board of hospital trustees shall hold meetings  
3 at least once each month, and shall keep a complete record of all its  
4 transactions.

5 2. Except as otherwise provided in NRS 241.0355:

6 (a) In counties where three county commissioners are not  
7 members of the board, three members of the board constitute a  
8 quorum for the transaction of business.

9 (b) And except as otherwise provided in paragraph (c), in  
10 counties where three county commissioners are members of the  
11 board, any five of the members constitute a quorum for the  
12 transaction of business.

13 (c) In counties where the board of county commissioners is the  
14 board of hospital trustees, a majority of the board constitutes a  
15 quorum for the transaction of business.

16 3. The board of hospital trustees *or any hospital governing*  
17 *board appointed pursuant to NRS 450.175* may hold a closed  
18 meeting *exempt from the provisions of chapter 241 of NRS* to  
19 discuss:

20 (a) Providing a new health care service at the county hospital or  
21 materially expanding a health care service that is currently provided  
22 by the county hospital; ~~or~~

23 (b) The acquisition of an additional facility by the county  
24 hospital or the material expansion of an existing facility of the  
25 county hospital ~~;~~;

26 (c) *Matters before a review committee to deliberate the*  
27 *character, alleged misconduct, professional competence or*  
28 *physical or mental health of a provider of health care; or*

29 (d) *A report related to:*

30 (1) *The compliance of the county hospital with all laws,*  
31 *regulations and rulemaking guidance of the Centers for Medicare*  
32 *and Medicaid Services of the United States Department of Health*  
33 *and Human Services; or*



1           (2) *Any conditions of participation in the Medicare or*  
2 *Medicaid programs.*

3           4. Subsection 3 must not be construed to authorize the board of  
4 hospital trustees *or the hospital governing board* to hold a closed  
5 meeting to discuss a change of management or ownership or the  
6 dissolution of the county hospital.

7           5. ~~Minutes~~ *Except as otherwise provided in this subsection,*  
8 *minutes* of a closed meeting held pursuant to subsection 3, any  
9 supporting material and any recording or transcript of the closed  
10 meeting become public records 5 years after the date on which the  
11 meeting is held or when the board of hospital trustees *or hospital*  
12 *governing board, as applicable,* determines that the matters  
13 discussed no longer require confidentiality, whichever occurs first.  
14 *Minutes of a closed meeting held pursuant to subsection 3, any*  
15 *supporting material and any recording or transcript of the closed*  
16 *meeting that contains privileged information are not public*  
17 *records. Nothing in this section shall be construed to limit the*  
18 *disclosure of information that is discoverable as part of a legal*  
19 *proceeding or pursuant to court order.*

20           6. *As used in this section:*

21           (a) *“Provider of health care” has the meaning ascribed to it in*  
22 *NRS 629.031; and*

23           (b) *“Review committee” has the meaning ascribed to it in*  
24 *NRS 49.117.*

25           **Sec. 2.** NRS 450.175 is hereby amended to read as follows:

26           450.175 1. In counties where the board of county  
27 commissioners is the board of hospital trustees, the board of hospital  
28 trustees may appoint a hospital ~~advisory~~ *governing* board which  
29 shall exercise *only the* powers and duties delegated to the ~~advisory~~  
30 *governing* board by the board of hospital trustees. *In counties in*  
31 *which the board of hospital trustees appoints a hospital governing*  
32 *board, the governing board is the governing body of the county*  
33 *hospital when exercising powers and duties delegated to the*  
34 *governing board pursuant to this chapter.*

35           2. Members of a hospital ~~advisory~~ *governing* board must be  
36 appointed by a majority vote of the board of hospital trustees and  
37 shall serve at the pleasure of the board.

38           3. Members of the hospital ~~advisory~~ *governing* board may  
39 receive compensation for their services in an amount not to exceed  
40 \$500 per month.

41           4. *The hospital governing board shall adopt bylaws and*  
42 *related policies and procedures consistent with this chapter and all*  
43 *applicable ordinances.*



1       **Sec. 2.5.** NRS 450.180 is hereby amended to read as follows:  
2       450.180 The board of hospital trustees *or any hospital*  
3 *governing board appointed pursuant to NRS 450.175* may:

4       1. Appoint a chief executive officer and necessary assistants,  
5 and fix their compensations.

6       2. Employ physicians , ~~and~~ interns ~~and~~ *and dentists*, either  
7 full-time or part-time, as the board determines necessary, and fix  
8 their compensations.

9       3. Remove those appointees and employees.

10      4. Control the admission of physicians and interns to the staff  
11 by promulgating appropriate rules, regulations and standards  
12 governing those appointments.

13      5. Contract with individual physicians or private medical  
14 associations for the provision of certain medical services as may be  
15 required by the hospital.

16      **Sec. 3.** NRS 241.016 is hereby amended to read as follows:

17      241.016 1. The meetings of a public body that are quasi-  
18 judicial in nature are subject to the provisions of this chapter.

19      2. The following are exempt from the requirements of this  
20 chapter:

21      (a) The Legislature of the State of Nevada.

22      (b) Judicial proceedings, including, without limitation,  
23 proceedings before the Commission on Judicial Selection and,  
24 except as otherwise provided in NRS 1.4687, the Commission on  
25 Judicial Discipline.

26      (c) Meetings of the State Board of Parole Commissioners when  
27 acting to grant, deny, continue or revoke the parole of a prisoner or  
28 to establish or modify the terms of the parole of a prisoner.

29      3. Any provision of law, including, without limitation, NRS  
30 91.270, 219A.210, 228.495, 239C.140, 239C.420, 241.028,  
31 281A.350, 281A.690, 281A.735, 281A.760, 284.3629, 286.150,  
32 287.0415, 287.04345, 287.338, 288.220, 288.590, 289.387, 295.121,  
33 315.98425, 360.247, 388.261, 388.385, 388A.495, 388C.150,  
34 388D.355, 388G.710, 388G.730, 392.147, 392.466, 392.467,  
35 392.4671, 394.1699, 396.1415, 396.3295, 414.270, 422.405,  
36 433.534, 435.610, 442.774, **450.140**, 463.110, 480.545, 622.320,  
37 622.340, 630.311, 630.336, 631.3635, 639.050, 642.518, 642.557,  
38 686B.170, 696B.550, 703.196 and 706.1725, which:

39      (a) Provides that any meeting, hearing or other proceeding is not  
40 subject to the provisions of this chapter; or

41      (b) Otherwise authorizes or requires a closed meeting, hearing  
42 or proceeding,

43      ↳ prevails over the general provisions of this chapter.

44      4. The exceptions provided to this chapter, and electronic  
45 communication, must not be used to circumvent the spirit or letter of



1 this chapter to deliberate or act, outside of an open and public  
2 meeting, upon a matter over which the public body has supervision,  
3 control, jurisdiction or advisory powers.

4 **Sec. 4.** 1. Any administrative regulations adopted by an  
5 officer, agency or other entity whose name has changed or whose  
6 responsibilities have been transferred pursuant to the provisions of  
7 this act to another officer, agency or other entity to which the  
8 responsibility for the adoption of the regulations has been  
9 transferred.

10 2. Any contracts or other agreements entered into by an officer,  
11 agency or other entity whose name has been changed or whose  
12 responsibilities have been transferred pursuant to the provisions of  
13 this act to another officer, agency or entity are binding upon the  
14 officer, agency or other entity to which the responsibility for the  
15 administration of the provisions of the contract or other agreement  
16 have been transferred. Such contracts and other agreements may be  
17 enforced by the officer, agency, or other entity to which the  
18 responsibility for enforcement of the provisions of the contract or  
19 other agreement has been transferred.

20 3. Any action taken by an officer, agency or other entity whose  
21 name has been changed or whose responsibilities have been  
22 transferred pursuant to the provisions of this act to another officer,  
23 agency or entity remains in effect as if taken by the officer, agency  
24 or other entity to which the responsibility for the enforcement of  
25 such actions has been transferred.

26 **Sec. 5.** The Legislative Counsel shall:

27 1. In preparing the reprint and supplements to the Nevada  
28 Revised Statutes, appropriately change any references to an officer,  
29 agency or other entity whose name is changed or whose  
30 responsibilities are transferred pursuant to the provisions of this act  
31 to refer to the appropriate officer, agency or entity.

32 2. In preparing supplements to the Nevada Administrative  
33 Code, appropriately change only references to an officer, agency or  
34 other entity whose name is changed or whose responsibilities are  
35 transferred pursuant to the provisions of this act to refer to the  
36 appropriate officer, agency or other entity.

