

SENATE BILL NO. 419—COMMITTEE ON
HEALTH AND HUMAN SERVICES

MARCH 27, 2023

Referred to Committee on Health and Human Services

SUMMARY—Makes revisions relating to public health.
(BDR 40-748)

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

CONTAINS UNFUNDED MANDATE (§§ 6, 28, 29, 45)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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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 public health; requiring the adoption of a framework for the electronic transmittal, maintenance and exchange of certain health information; requiring governmental entities, health care providers, insurers and insurance administrators to maintain, transmit and exchange health information electronically; requiring the suspension of the license, certificate, registration or similar credential of a health care provider, insurer or insurance administrator that fails to comply with that requirement; removing authorization to establish a statewide health information exchange; clarifying that certain persons are immune from certain criminal and civil liability for transmitting, accessing, utilizing or disclosing electronic health records in accordance with existing law; establishing and prescribing the duties of the Chief Data Officer of the Nevada Innovation Hub, the Nevada Innovation Hub and the Medicaid Outreach Advisory Committee; authorizing a business to receive a partial abatement of certain taxes under certain conditions; authorizing certain persons to enroll in Medicaid; requiring the Joint Interim Standing Committee on Health and Human Services to study the feasibility of providing certain coverage under Medicaid; requiring the Department of Health and Human Services to evaluate certain issues and take certain actions relating to its workforce; making an appropriation; and providing other matters properly relating thereto.



Legislative Counsel's Digest:

1 Existing law requires the Director of the Department of Health and Human
2 Services to adopt regulations governing health information exchanges and the
3 transmittal, ownership, management, use and confidentiality of electronic health
4 records. (NRS 439.587, 439.589) **Section 6** of this bill requires the Director to
5 prescribe by regulation a framework for the electronic maintenance, transmittal and
6 exchange of electronic health records, prescriptions and health-related information.
7 **Section 6** requires that framework to establish standards for networks and
8 technologies to be used to maintain, transmit and exchange health information,
9 including standards that require: (1) the ability for patients to access and forward
10 their records; and (2) the interoperability of such networks and technologies.
11 **Section 60** of this bill requires the Director to convene an advisory group to advise
12 the Director in the adoption of those standards. With certain exceptions, **sections 6,**
13 **28, 29, 45 and 63** of this bill require all governmental entities, health care
14 providers, insurers, pharmacy benefit managers and other insurance administrators
15 to maintain, transmit and exchange health information electronically in accordance
16 with those standards and other provisions governing electronic health records,
17 beginning on: (1) July 1, 2024, for hospitals and physician group practices; and (2)
18 July 1, 2025, for governmental entities, other health care providers, insurers,
19 pharmacy benefit managers and other insurance administrators. **Section 57** of this
20 bill appropriates money to award grants to certain providers of health care and
21 health care facilities for the purposes of complying with that requirement. **Sections**
22 **2 and 6** of this bill provide that a health care provider, insurer, pharmacy benefit
23 manager or other insurance administrator that fails to comply with that requirement
24 is not guilty of a misdemeanor. Instead, **section 1** of this bill requires the
25 Department, after notice and the opportunity for a hearing, to notify any regulatory
26 body that has issued a license, certificate, registration, permit or similar credential
27 to a health care provider, insurer, pharmacy benefit manager or other insurance
28 administrator if the holder of the credential fails to comply with that requirement.
29 **Sections 9, 17, 45, 47, 50 and 53** of this bill require a regulatory body to
30 immediately suspend a credential issued to such a provider, insurer, pharmacy
31 benefit manager or other insurance administrator upon receiving such notice.
32 **Sections 15, 49 and 54** of this bill provide that such a suspension is not subject to
33 certain procedure that ordinarily applies to the suspension of the license of a health
34 care facility or the suspension of the certificate of authority of an insurer. **Sections**
35 **1, 9, 17, 45, 47, 50 and 53** prescribe a similar process to reinstate a suspended
36 credential if the Department determines that the holder has come into compliance
37 with the requirement to maintain, transmit and exchange health information
38 electronically. **Section 4** of this bill removes: (1) duplicative requirements
39 concerning the adoption of regulations governing electronic health records; and (2)
40 authorization for the Director to establish a statewide health information exchange.
41 **Sections 2-5, 8, 10-14, 16, 44, 46, 48, 51, 52, 55 and 56** of this bill make
42 conforming changes to indicate the proper placement of **sections 1, 9, 47 and 50** in
43 the Nevada Revised Statutes.

44 Existing law provides that a health care provider who with reasonable care
45 relies upon an apparently genuine electronic health record accessed from a health
46 information exchange to make a decision concerning the provision of health care to
47 a patient is immune from civil or criminal liability for the decision if: (1) the
48 electronic health record is inaccurate; (2) the inaccuracy was not caused by the
49 health care provider; (3) the inaccuracy resulted in an inappropriate health care
50 decision; and (4) the health care decision was appropriate based upon the
51 information contained in the inaccurate electronic health record. (NRS 439.593)
52 **Section 7** of this bill expands this immunity from liability to also apply to any
53 health care provider who transmits, accesses, utilizes or discloses an apparently



54 genuine electronic health record or provides such an electronic health record to a
55 patient.

56 Existing law provides that providing information to an electronic health record
57 in accordance with existing law is not an unfair trade practice. (NRS 439.595)
58 **Section 8** of this bill additionally provides that transmitting, accessing, utilizing or
59 disclosing an electronic health record in accordance with existing law is not an
60 unfair trade practice.

61 **Sections 22-24** of this bill establish the Nevada Innovation Hub within the
62 Department of Health and Human Services. **Section 23** of this bill creates the
63 position of Chief Data Officer to: (1) serve as the executive head of the Hub; (2)
64 advise public health agencies regarding best practices for creating and maintaining
65 data; and (3) coordinate planning concerning data analytics and transparency for the
66 Department. **Section 24** of this bill requires the Hub to: (1) obtain information
67 relating to public health from public health agencies and other persons and entities;
68 and (2) establish and maintain a program to collect, analyze, exchange and make
69 available such information. **Sections 24 and 27** of this bill provide for the
70 confidentiality of personally identifiable information maintained by the Hub and
71 information maintained by the Hub for which disclosure is prohibited by state or
72 federal law. **Section 25** of this bill makes a conforming change to indicate the
73 proper placement of **sections 22-24** in the Nevada Revised Statutes. **Section 61** of
74 this bill requires the Chief Data Officer to submit a report to the Joint Interim
75 Standing Committee on Health and Human Services concerning the policies and
76 procedures of the Hub.

77 Existing law authorizes the Office of Economic Development to approve an
78 abatement or partial abatement of certain property taxes, business taxes and sales
79 and use taxes in certain circumstances. (NRS 274.310-274.330, 360.750-360.754)
80 **Section 31** of this bill authorizes a person who intends to locate or expand a
81 business in an academic medical district in this State to apply to the Office for a
82 partial abatement of: (1) local sales and use taxes imposed on the purchase of
83 tangible personal property used to provide health care or conduct scientific
84 research; (2) certain property taxes imposed on the business; and (3) the excise tax
85 on wages paid to employees performing services directly related to addressing
86 critical medical and scientific needs, as defined by regulations adopted by the
87 Office. **Section 31** requires the Office to grant such an application if: (1) the
88 applicant enters into an agreement authorizing the Office to conduct audits of
89 the applicant and to remain in business in this State for a certain period of time; and
90 (2) the Office finds that the business meets certain requirements relating to wages
91 and benefits for employees and economic activity in this State. Additionally, if the
92 applicant is requesting a partial abatement of certain taxes imposed for the benefit
93 of public schools, **section 31** requires the applicant to obtain the approval of a
94 supermajority of the Board of Economic Development. **Sections 35, 36 and 37** of
95 this bill establish the duration and amount of the abatements. **Sections 18-20, 30**
96 **and 32-34** of this bill make various changes so that a partial abatement granted
97 pursuant to **section 31** is treated in the same manner as other similar abatements
98 authorized by law.

99 Existing law authorizes a person who maintains or intends to locate a business
100 in this State to apply to the Office for an abatement on certain taxes imposed on
101 eligible machinery or equipment used by the business. (NRS 374.357) **Section 38**
102 of this bill provides that equipment used for medical treatment is not eligible
103 machinery or equipment for that purpose, thereby authorizing a business to obtain
104 an abatement for certain taxes imposed on such equipment pursuant to **sections 31**
105 **and 35-37**.

106 With certain exceptions, existing federal and state law prohibits a person or
107 governmental entity from providing a public benefit to an alien who is not legally
108 present in the United States, except where a state law affirmatively provides for



109 such eligibility. (8 U.S.C. § 1621; NRS 422.065, 422A.085) **Section 39** of this bill
 110 affirmatively requires the Director to include in the State Plan for Medicaid
 111 authorization for any person who otherwise qualifies for Medicaid to enroll in
 112 Medicaid, regardless of his or her immigration or citizenship status. **Section 43** of
 113 this bill removes the requirement that a person who is not a citizen or national of
 114 the United States must be a qualified alien under federal law to receive Medicaid.
 115 **Section 26** of this bill makes a conforming change to indicate the proper placement
 116 of **section 39** in the Nevada Revised Statutes.

117 Under existing law, the Division of Welfare and Supportive Services of the
 118 Department administers provisions concerning applications for Medicaid and the
 119 Children’s Health Insurance Program. (NRS 422A.3351, 422A.336) **Section 41** of
 120 this bill creates the Medicaid Outreach Advisory Committee within the Division.
 121 **Section 42** of this bill requires the Advisory Committee to: (1) advise the
 122 Department, the Division of Health Care Financing and Policy of the Department and
 123 the Division of Welfare and Supportive Services concerning outreach to, and
 124 maximizing enrollment in Medicaid and the Children’s Health Insurance Program
 125 of, members of marginalized or underserved communities; and (2) annually post a
 126 report of the activities of the Advisory Committee on the Internet.

127 **Section 58** of this bill requires the Joint Interim Standing Committee on Health
 128 and Human Services to study, during the 2023-2024 interim, the feasibility of
 129 including in the State Plan for Medicaid coverage of digital health products and the
 130 procedures for and costs of providing such coverage. **Section 59** of this bill requires
 131 the Department of Health and Human Services, during the 2023-2024 interim, to:
 132 (1) evaluate the workforce of the Department to determine whether adding,
 133 eliminating or revising the salary for any position within the Department would
 134 increase the effectiveness or efficiency of the operations of the Department; and (2)
 135 take any action recommended by the evaluation which does not require legislation
 136 unless the Director determines that the action is not feasible or advisable. **Section**
 137 **59** also requires the Department to submit to the Legislature a report concerning the
 138 evaluation and actions resulting from the evaluation.

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

1 **Section 1.** Chapter 439 of NRS is hereby amended by adding
 2 thereto a new section to read as follows:

3 *1. The Department shall, after notice and the opportunity for*
 4 *a hearing, notify each regulatory body of this State that has issued*
 5 *a current, valid license to a licensed provider or insurer if:*

6 *(a) The Department determines that the licensed provider or*
 7 *insurer is not in compliance with the requirements of subsection 4*
 8 *of NRS 439.589; and*

9 *(b) The licensed provider or insurer:*

10 *(1) Is not exempt from those requirements pursuant to*
 11 *subsection 5 of NRS 439.589; and*

12 *(2) Has not received a waiver of those requirements*
 13 *pursuant to subsection 6 of NRS 439.589.*

14 *2. If the Department determines that a holder of a license*
 15 *which has been suspended pursuant to NRS 629.051 or section 9,*
 16 *17, 47, 50 or 53 of this act has come into compliance with the*



1 *requirements of subsection 4 of NRS 439.589, the Department*
2 *shall immediately notify the regulatory body that issued the*
3 *license.*

4 *3. The Director shall adopt regulations to carry out the*
5 *provisions of this section. Those regulations must prescribe:*

6 *(a) The required contents of any notice provided to subsection*
7 *1 to a licensed provider or insurer;*

8 *(b) The amount of time after the provision of such a notice*
9 *within which a licensed provider or insurer must come into*
10 *compliance with the requirements of subsection 4 of NRS 439.589*
11 *or request a hearing before the Department will notify any*
12 *regulatory body of this State that issued a license to the licensed*
13 *provider or insurer; and*

14 *(c) The process for verifying compliance with requirements of*
15 *subsection 4 of NRS 439.589 for the purposes of paragraph (b) or*
16 *subsection 2.*

17 *4. As used in this section:*

18 *(a) "License" means any license, certificate, registration,*
19 *permit or similar type of authorization to practice an occupation*
20 *or profession in this State issued to a licensed provider or insurer.*

21 *(b) "Licensed provider or insurer" means:*

22 *(1) A medical facility licensed pursuant to chapter 449 of*
23 *NRS;*

24 *(2) The holder of a permit to operate an ambulance, an air*
25 *ambulance or a vehicle of a fire-fighting agency pursuant to*
26 *chapter 450B of NRS;*

27 *(3) A provider of health care, as defined in NRS 629.031,*
28 *who is licensed pursuant to title 54 of NRS; or*

29 *(4) Any person licensed pursuant to title 57 of NRS.*

30 *(c) "Regulatory body" means any governmental entity that*
31 *issues a license.*

32 **Sec. 2.** NRS 439.580 is hereby amended to read as follows:

33 439.580 1. Any local health officer or a deputy of a local
34 health officer who neglects or fails to enforce the provisions of this
35 chapter in his or her jurisdiction, or neglects or refuses to perform
36 any of the duties imposed upon him or her by this chapter or by the
37 instructions and directions of the Division shall be punished by a
38 fine of not more than \$250.

39 2. ~~Each~~ *Except as otherwise provided in NRS 439.589, each*
40 *person who violates any of the provisions of this chapter or refuses*
41 *or neglects to obey any lawful order, rule or regulation of the:*

42 *(a) State Board of Health or violates any rule or regulation*
43 *approved by the State Board of Health pursuant to NRS 439.350,*
44 *439.366, 439.410 and 439.460; or*



1 (b) Director adopted pursuant to NRS 439.538 or 439.581 to
2 439.595, inclusive, *and section 1 of this act*,
3 ↪ is guilty of a misdemeanor.

4 **Sec. 3.** NRS 439.581 is hereby amended to read as follows:

5 439.581 As used in NRS 439.581 to 439.595, inclusive, *and*
6 *section 1 of this act*, unless the context otherwise requires, the
7 words and terms defined in NRS 439.582 to 439.585, inclusive,
8 have the meanings ascribed to them in those sections.

9 **Sec. 4.** NRS 439.587 is hereby amended to read as follows:

10 439.587 1. The Director is the state authority for health
11 information technology. ~~[The Director shall:~~

12 ~~—(a) Ensure that a health information exchange complies with the~~
13 ~~specifications and protocols for exchanging electronic health~~
14 ~~records, health related information and related data prescribed~~
15 ~~pursuant to the provisions of the Health Information Technology for~~
16 ~~Economic and Clinical Health Act of 2009, 42 U.S.C. §§ 300jj et~~
17 ~~seq. and 17901 et seq., and other applicable federal and state law;~~

18 ~~—(b) Encourage the use of a health information exchange by~~
19 ~~health care providers, payers and patients;~~

20 ~~—(c) Prescribe by regulation standards for the electronic~~
21 ~~transmittal of electronic health records, prescriptions, health related~~
22 ~~information, electronic signatures and requirements for electronic~~
23 ~~equivalents of written entries or written approvals in accordance~~
24 ~~with federal law;~~

25 ~~—(d) Prescribe by regulation rules governing the ownership,~~
26 ~~management and use of electronic health records, health related~~
27 ~~information and related data retained or shared by a health~~
28 ~~information exchange; and~~

29 ~~—(e) Prescribe by regulation, in consultation with the State Board~~
30 ~~of Pharmacy, standards for the electronic transmission of prior~~
31 ~~authorizations for prescription medication using a health~~
32 ~~information exchange.]~~

33 2. ~~[The Director may establish or contract with not more than~~
34 ~~one health information exchange to serve as the statewide health~~
35 ~~information exchange to be responsible for compiling statewide~~
36 ~~master indexes of patients, health care providers and payers. The~~
37 ~~Director may by regulation prescribe the requirements for a~~
38 ~~statewide health information exchange, including, without~~
39 ~~limitation, the procedure by which any patient, health care provider~~
40 ~~or payer master index created pursuant to any contract is transferred~~
41 ~~to the State upon termination of the contract.~~

42 ~~—3.]~~ The Director may enter into contracts, apply for and accept
43 available gifts, grants and donations, and adopt such regulations as
44 are necessary to carry out the provisions of NRS 439.581 to
45 439.595, inclusive ~~[,]~~, *and section 1 of this act*.



1 **Sec. 5.** NRS 439.588 is hereby amended to read as follows:
2 439.588 1. A health information exchange shall not operate
3 in this State without first obtaining certification as provided in
4 subsection 2.

5 2. The Director shall by regulation establish the manner in
6 which a health information exchange may apply for certification and
7 the requirements for granting such certification, which must include,
8 without limitation, that the health information exchange demonstrate
9 its financial and operational sustainability, adherence to the privacy,
10 security and patient consent standards adopted pursuant to NRS
11 439.589 and capacity for interoperability with any other health
12 information exchange certified pursuant to this section.

13 3. The Director may deny an application for certification or
14 may suspend or revoke any certification issued pursuant to
15 subsection 2 for failure to comply with the provisions of NRS
16 439.581 to 439.595, inclusive, *and section 1 of this act* or the
17 regulations adopted pursuant thereto or any applicable federal or
18 state law.

19 4. When the Director intends to deny, suspend or revoke a
20 certification, he or she shall give reasonable notice to all parties by
21 certified mail. The notice must contain the legal authority,
22 jurisdiction and reasons for the action to be taken. A health
23 information exchange that wishes to contest the action of the
24 Director must file an appeal with the Director.

25 5. The Director shall adopt regulations establishing the manner
26 in which a person may file a complaint with the Director regarding a
27 violation of the provisions of this section.

28 6. The Director may impose an administrative fine against a
29 health information exchange which operates in this State without
30 holding a certification in an amount established by the Director by
31 regulation. The Director shall afford a health information exchange
32 so fined an opportunity for a hearing pursuant to the provisions of
33 NRS 233B.121.

34 7. The Director may adopt such regulations as he or she
35 determines are necessary to carry out the provisions of this section.

36 **Sec. 6.** NRS 439.589 is hereby amended to read as follows:

37 439.589 1. The Director , *in consultation with health care*
38 *providers, third parties and other interested persons and entities,*
39 shall by regulation prescribe *a framework for the electronic*
40 *maintenance, transmittal and exchange of electronic health*
41 *records, prescriptions, health-related information and electronic*
42 *signatures and requirements for electronic equivalents of written*
43 *entries or written approvals in accordance with federal law. The*
44 *regulations must:*

45 (a) *Establish* standards 



1 ~~—(a)~~ *for networks and technologies to be used to maintain,*
2 *transmit and exchange health information, including, without*
3 *limitation, standards:*

4 (1) *That require:*

5 (I) *The use of networks and technologies that allow*
6 *patients to access electronic health records directly from the*
7 *health care provider of the patient and forward such electronic*
8 *health records electronically to other persons and entities; and*

9 (II) *The interoperability of such networks and*
10 *technologies in accordance with the applicable standards for the*
11 *interoperability of Qualified Health Information Networks*
12 *prescribed by the Office of the National Coordinator for Health*
13 *Information Technology of the United States Department of*
14 *Health and Human Services;*

15 (2) To ensure that electronic health records retained or shared
16 ~~[by any health information exchange]~~ are secure;

17 ~~[(b)]~~ (3) To maintain the confidentiality of electronic health
18 records and health-related information, including, without
19 limitation, standards to maintain the confidentiality of electronic
20 health records relating to a child who has received health care
21 services without the consent of a parent or guardian and which
22 ensure that a child's right to access such health care services is not
23 impaired;

24 ~~[(e)]~~ (4) To ensure the privacy of individually identifiable
25 health information, including, without limitation, standards to
26 ensure the privacy of information relating to a child who has
27 received health care services without the consent of a parent or
28 guardian;

29 ~~[(d)]~~ (5) For obtaining consent from a patient before retrieving
30 the patient's health records from a health information exchange,
31 including, without limitation, standards for obtaining such consent
32 from a child who has received health care services without the
33 consent of a parent or guardian;

34 ~~[(e)]~~ (6) For making any necessary corrections to information or
35 records ~~[retained or shared by a health information exchange; and~~
36 ~~—(f)] ;~~

37 (7) For notifying a patient if the confidentiality of
38 information contained in an electronic health record of the patient is
39 breached ~~[(f)]~~;

40 (8) *Governing the ownership, management and use of*
41 *electronic health records, health-related information and related*
42 *data; and*

43 (9) *For the electronic transmission of prior authorizations*
44 *for prescription medication;*



1 *(b) Ensure compliance with the specifications and protocols*
2 *for exchanging electronic health records, health-related*
3 *information and related data prescribed pursuant to the provisions*
4 *of the Health Information Technology for Economic and Clinical*
5 *Health Act, 42 U.S.C. §§ 300jj et seq. and 17901 et seq., and other*
6 *applicable federal and state law; and*

7 *(c) Be based on nationally recognized best practices for*
8 *maintaining, transmitting and exchanging health information*
9 *electronically.*

10 2. The standards prescribed pursuant to this section must
11 include, without limitation:

12 (a) Requirements for the creation, maintenance and transmittal
13 of electronic health records;

14 (b) Requirements for protecting confidentiality, including
15 control over, access to and the collection, organization and
16 maintenance of electronic health records, health-related information
17 and individually identifiable health information;

18 (c) Requirements for the manner in which a patient may,
19 through a health care provider who participates in the sharing of
20 health records using a health information exchange, revoke his or
21 her consent for a health care provider to retrieve the patient's health
22 records from the health information exchange;

23 (d) A secure and traceable electronic audit system for
24 identifying access points and trails to electronic health records and
25 health information exchanges; and

26 (e) Any other requirements necessary to comply with all
27 applicable federal laws relating to electronic health records, health-
28 related information, health information exchanges and the security
29 and confidentiality of such records and exchanges.

30 3. *The regulations adopted pursuant to this section must not*
31 *require any person or entity to use a health information exchange.*

32 4. *Except as otherwise provided in subsections 5 and 6, the*
33 *Department and the divisions thereof, other state and local*
34 *governmental entities, health care providers, third parties,*
35 *pharmacy benefit managers and other entities licensed or certified*
36 *pursuant to title 57 of NRS shall maintain, transmit and exchange*
37 *health information in accordance with the regulations adopted*
38 *pursuant to this section, the provisions of NRS 439.581 to 439.595,*
39 *inclusive, and section 1 of this act, and any other regulations*
40 *adopted pursuant thereto.*

41 5. *The Federal Government and employees thereof, a*
42 *provider of health coverage for federal employees, a provider of*
43 *health coverage that is subject to the Employee Retirement Income*
44 *Security Act of 1974, 29 U.S.C. §§ 1001 et seq., or a Taft-Hartley*
45 *trust formed pursuant to 29 U.S.C. § 186(c)(5) is not required to*



1 *but may maintain, transmit and exchange electronic information*
2 *in accordance with the regulations adopted pursuant to this*
3 *section.*

4 6. *A health care provider may apply to the Department for a*
5 *waiver from the provisions of subsection 4 on the basis that the*
6 *health care provider does not have the infrastructure necessary to*
7 *comply with those provisions, including, without limitation,*
8 *because the health care provider does not have access to the*
9 *Internet. The Department shall grant a waiver if it determines*
10 *that:*

11 (a) *The health care provider does not currently have the*
12 *infrastructure necessary to comply with the provisions of*
13 *subsection 4; and*

14 (b) *Obtaining such infrastructure is not reasonably*
15 *practicable, including, without limitation, because the cost of such*
16 *infrastructure would make it difficult for the health care provider*
17 *to continue to operate.*

18 7. *A violation of the provisions of this section or any*
19 *regulations adopted pursuant thereto is not a misdemeanor.*

20 8. *As used in this section:*

21 (a) *“Pharmacy benefit manager” has the meaning ascribed to*
22 *it in NRS 683A.174.*

23 (b) *“Third party” means any insurer, governmental entity or*
24 *other organization providing health coverage or benefits in*
25 *accordance with state or federal law.*

26 **Sec. 7.** NRS 439.593 is hereby amended to read as follows:

27 439.593 A health care provider who with reasonable care
28 *transmits, accesses, utilizes, discloses,* relies upon *or provides to a*
29 *patient* an apparently genuine electronic health record accessed
30 ~~*[from a health information exchange to make a decision concerning*~~
31 ~~*the provision of health care to a patient]*~~ *in accordance with NRS*
32 *439.581 to 439.595, inclusive, and section 1 of this act, and the*
33 *regulations adopted pursuant thereto* is immune from civil or
34 criminal liability for ~~*[the]*~~ *any decision concerning the provision of*
35 *health care to the patient and any civil or criminal liability*
36 *resulting from the provision of the record to a patient* if:

37 1. The electronic health record is inaccurate;

38 2. The inaccuracy was not caused by the health care provider;

39 3. The inaccuracy resulted in an inappropriate health care
40 decision; and

41 4. The health care decision was appropriate based upon the
42 information contained in the inaccurate electronic health record.

43 **Sec. 8.** NRS 439.595 is hereby amended to read as follows:

44 439.595 Providing information to *, transmitting, accessing,*
45 *utilizing or disclosing* an electronic health record or participating in



1 a health information exchange in accordance with NRS 439.581 to
2 439.595, inclusive, *and section 1 of this act* does not constitute an
3 unfair trade practice pursuant to chapter 598A or 686A of NRS.

4 **Sec. 9.** Chapter 449 of NRS is hereby amended by adding
5 thereto a new section to read as follows:

6 *If the Division receives notification from the Department of*
7 *Health and Human Services pursuant to section 1 of this act that:*

8 *1. A medical facility licensed pursuant to this chapter is not*
9 *in compliance with the requirements of subsection 4 of NRS*
10 *439.589, the Division shall immediately suspend the license of the*
11 *facility until the license is reinstated pursuant to subsection 2.*

12 *2. A facility whose license has been suspended pursuant to*
13 *subsection 1 has come into compliance with the requirements of*
14 *subsection 4 of NRS 439.589, the Division shall immediately*
15 *reinststate the license of the facility.*

16 **Sec. 10.** NRS 449.029 is hereby amended to read as follows:
17 449.029 As used in NRS 449.029 to 449.240, inclusive, *and*
18 *section 9 of this act*, unless the context otherwise requires, "medical
19 facility" has the meaning ascribed to it in NRS 449.0151 and
20 includes a program of hospice care described in NRS 449.196.

21 **Sec. 11.** NRS 449.0301 is hereby amended to read as follows:
22 449.0301 The provisions of NRS 449.029 to 449.2428,
23 inclusive, *and section 9 of this act* do not apply to:

24 1. Any facility conducted by and for the adherents of any
25 church or religious denomination for the purpose of providing
26 facilities for the care and treatment of the sick who depend solely
27 upon spiritual means through prayer for healing in the practice of
28 the religion of the church or denomination, except that such a
29 facility shall comply with all regulations relative to sanitation and
30 safety applicable to other facilities of a similar category.

31 2. Foster homes as defined in NRS 424.014.

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

36 **Sec. 12.** NRS 449.0302 is hereby amended to read as follows:

37 449.0302 1. The Board shall adopt:

38 (a) Licensing standards for each class of medical facility or
39 facility for the dependent covered by NRS 449.029 to 449.2428,
40 inclusive, *and section 9 of this act* and for programs of hospice
41 care.

42 (b) Regulations governing the licensing of such facilities and
43 programs.

44 (c) Regulations governing the procedure and standards for
45 granting an extension of the time for which a natural person may



1 provide certain care in his or her home without being considered a
2 residential facility for groups pursuant to NRS 449.017. The
3 regulations must require that such grants are effective only if made
4 in writing.

5 (d) Regulations establishing a procedure for the indemnification
6 by the Division, from the amount of any surety bond or other
7 obligation filed or deposited by a facility for refractive surgery
8 pursuant to NRS 449.068 or 449.069, of a patient of the facility who
9 has sustained any damages as a result of the bankruptcy of or any
10 breach of contract by the facility.

11 (e) Regulations that prescribe the specific types of
12 discrimination prohibited by NRS 449.101.

13 (f) Regulations requiring a hospital or independent center for
14 emergency medical care to provide training to each employee who
15 provides care to victims of sexual assault or attempted sexual assault
16 concerning appropriate care for such persons, including, without
17 limitation, training concerning the requirements of NRS 449.1885.

18 (g) Any other regulations as it deems necessary or convenient to
19 carry out the provisions of NRS 449.029 to 449.2428, inclusive **H**,
20 **and section 9 of this act.**

21 2. The Board shall adopt separate regulations governing the
22 licensing and operation of:

23 (a) Facilities for the care of adults during the day; and

24 (b) Residential facilities for groups,

25 ↪ which provide care to persons with Alzheimer's disease or other
26 severe dementia, as described in paragraph (a) of subsection 2 of
27 NRS 449.1845.

28 3. The Board shall adopt separate regulations for:

29 (a) The licensure of rural hospitals which take into consideration
30 the unique problems of operating such a facility in a rural area.

31 (b) The licensure of facilities for refractive surgery which take
32 into consideration the unique factors of operating such a facility.

33 (c) The licensure of mobile units which take into consideration
34 the unique factors of operating a facility that is not in a fixed
35 location.

36 4. The Board shall require that the practices and policies of
37 each medical facility or facility for the dependent provide
38 adequately for the protection of the health, safety and physical,
39 moral and mental well-being of each person accommodated in the
40 facility.

41 5. In addition to the training requirements prescribed pursuant
42 to NRS 449.093, the Board shall establish minimum qualifications
43 for administrators and employees of residential facilities for groups.
44 In establishing the qualifications, the Board shall consider the



1 related standards set by nationally recognized organizations which
2 accredit such facilities.

3 6. The Board shall adopt separate regulations regarding the
4 assistance which may be given pursuant to NRS 453.375 and
5 454.213 to an ultimate user of controlled substances or dangerous
6 drugs by employees of residential facilities for groups. The
7 regulations must require at least the following conditions before
8 such assistance may be given:

9 (a) The ultimate user's physical and mental condition is stable
10 and is following a predictable course.

11 (b) The amount of the medication prescribed is at a maintenance
12 level and does not require a daily assessment.

13 (c) A written plan of care by a physician or registered nurse has
14 been established that:

15 (1) Addresses possession and assistance in the administration
16 of the medication; and

17 (2) Includes a plan, which has been prepared under the
18 supervision of a registered nurse or licensed pharmacist, for
19 emergency intervention if an adverse condition results.

20 (d) Except as otherwise authorized by the regulations adopted
21 pursuant to NRS 449.0304, the prescribed medication is not
22 administered by injection or intravenously.

23 (e) The employee has successfully completed training and
24 examination approved by the Division regarding the authorized
25 manner of assistance.

26 7. The Board shall adopt separate regulations governing the
27 licensing and operation of residential facilities for groups which
28 provide assisted living services. The Board shall not allow the
29 licensing of a facility as a residential facility for groups which
30 provides assisted living services and a residential facility for groups
31 shall not claim that it provides "assisted living services" unless:

32 (a) Before authorizing a person to move into the facility, the
33 facility makes a full written disclosure to the person regarding what
34 services of personalized care will be available to the person and the
35 amount that will be charged for those services throughout the
36 resident's stay at the facility.

37 (b) The residents of the facility reside in their own living units
38 which:

39 (1) Except as otherwise provided in subsection 8, contain
40 toilet facilities;

41 (2) Contain a sleeping area or bedroom; and

42 (3) Are shared with another occupant only upon consent of
43 both occupants.



1 (c) The facility provides personalized care to the residents of the
2 facility and the general approach to operating the facility
3 incorporates these core principles:

4 (1) The facility is designed to create a residential
5 environment that actively supports and promotes each resident's
6 quality of life and right to privacy;

7 (2) The facility is committed to offering high-quality
8 supportive services that are developed by the facility in
9 collaboration with the resident to meet the resident's individual
10 needs;

11 (3) The facility provides a variety of creative and innovative
12 services that emphasize the particular needs of each individual
13 resident and the resident's personal choice of lifestyle;

14 (4) The operation of the facility and its interaction with its
15 residents supports, to the maximum extent possible, each resident's
16 need for autonomy and the right to make decisions regarding his or
17 her own life;

18 (5) The operation of the facility is designed to foster a social
19 climate that allows the resident to develop and maintain personal
20 relationships with fellow residents and with persons in the general
21 community;

22 (6) The facility is designed to minimize and is operated in a
23 manner which minimizes the need for its residents to move out of
24 the facility as their respective physical and mental conditions change
25 over time; and

26 (7) The facility is operated in such a manner as to foster a
27 culture that provides a high-quality environment for the residents,
28 their families, the staff, any volunteers and the community at large.

29 8. The Division may grant an exception from the requirement
30 of subparagraph (1) of paragraph (b) of subsection 7 to a facility
31 which is licensed as a residential facility for groups on or before
32 July 1, 2005, and which is authorized to have 10 or fewer beds and
33 was originally constructed as a single-family dwelling if the
34 Division finds that:

35 (a) Strict application of that requirement would result in
36 economic hardship to the facility requesting the exception; and

37 (b) The exception, if granted, would not:

38 (1) Cause substantial detriment to the health or welfare of
39 any resident of the facility;

40 (2) Result in more than two residents sharing a toilet facility;
41 or

42 (3) Otherwise impair substantially the purpose of that
43 requirement.

44 9. The Board shall, if it determines necessary, adopt
45 regulations and requirements to ensure that each residential facility



1 for groups and its staff are prepared to respond to an emergency,
2 including, without limitation:

3 (a) The adoption of plans to respond to a natural disaster and
4 other types of emergency situations, including, without limitation,
5 an emergency involving fire;

6 (b) The adoption of plans to provide for the evacuation of a
7 residential facility for groups in an emergency, including, without
8 limitation, plans to ensure that nonambulatory patients may be
9 evacuated;

10 (c) Educating the residents of residential facilities for groups
11 concerning the plans adopted pursuant to paragraphs (a) and (b); and

12 (d) Posting the plans or a summary of the plans adopted
13 pursuant to paragraphs (a) and (b) in a conspicuous place in each
14 residential facility for groups.

15 10. The regulations governing the licensing and operation of
16 facilities for transitional living for released offenders must provide
17 for the licensure of at least three different types of facilities,
18 including, without limitation:

19 (a) Facilities that only provide a housing and living
20 environment;

21 (b) Facilities that provide or arrange for the provision of
22 supportive services for residents of the facility to assist the residents
23 with reintegration into the community, in addition to providing a
24 housing and living environment; and

25 (c) Facilities that provide or arrange for the provision of
26 programs for alcohol and other substance use disorders, in addition
27 to providing a housing and living environment and providing or
28 arranging for the provision of other supportive services.

29 ➤ The regulations must provide that if a facility was originally
30 constructed as a single-family dwelling, the facility must not be
31 authorized for more than eight beds.

32 11. The Board shall adopt regulations applicable to providers
33 of community-based living arrangement services which:

34 (a) Except as otherwise provided in paragraph (b), require a
35 natural person responsible for the operation of a provider of
36 community-based living arrangement services and each employee of
37 a provider of community-based living arrangement services who
38 supervises or provides support to recipients of community-based
39 living arrangement services to complete training concerning the
40 provision of community-based living arrangement services to
41 persons with mental illness and continuing education concerning the
42 particular population served by the provider;

43 (b) Exempt a person licensed or certified pursuant to title 54 of
44 NRS from the requirements prescribed pursuant to paragraph (a) if
45 the Board determines that the person is required to receive training



1 and continuing education substantially equivalent to that prescribed
2 pursuant to that paragraph;

3 (c) Require a natural person responsible for the operation of a
4 provider of community-based living arrangement services to receive
5 training concerning the provisions of title 53 of NRS applicable to
6 the provision of community-based living arrangement services; and

7 (d) Require an applicant for a license to provide community-
8 based living arrangement services to post a surety bond in an
9 amount equal to the operating expenses of the applicant for 2
10 months, place that amount in escrow or take another action
11 prescribed by the Division to ensure that, if the applicant becomes
12 insolvent, recipients of community-based living arrangement
13 services from the applicant may continue to receive community-
14 based living arrangement services for 2 months at the expense of the
15 applicant.

16 12. The Board shall adopt separate regulations governing the
17 licensing and operation of freestanding birthing centers. Such
18 regulations must:

19 (a) Align with the standards established by the American
20 Association of Birth Centers, or its successor organization, the
21 accrediting body of the Commission for the Accreditation of Birth
22 Centers, or its successor organization, or another nationally
23 recognized organization for accrediting freestanding birthing
24 centers; and

25 (b) Allow the provision of supervised training to providers of
26 health care, as appropriate, at a freestanding birthing center.

27 13. As used in this section, "living unit" means an individual
28 private accommodation designated for a resident within the facility.

29 **Sec. 13.** NRS 449.160 is hereby amended to read as follows:

30 449.160 1. The Division may deny an application for a
31 license or may suspend or revoke any license issued under the
32 provisions of NRS 449.029 to 449.2428, inclusive, *and section 9 of*
33 *this act* upon any of the following grounds:

34 (a) Violation by the applicant or the licensee of any of the
35 provisions of NRS 439B.410 or 449.029 to 449.245, inclusive, *and*
36 *section 9 of this act*, or of any other law of this State or of the
37 standards, rules and regulations adopted thereunder.

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

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

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



1 (e) Failure of the applicant to obtain written approval from the
2 Director of the Department of Health and Human Services as
3 required by NRS 439A.100 or as provided in any regulation adopted
4 pursuant to NRS 449.001 to 449.430, inclusive, *and section 9 of*
5 *this act*, and 449.435 to 449.531, inclusive, and chapter 449A of
6 NRS if such approval is required.

7 (f) Failure to comply with the provisions of NRS 441A.315 and
8 any regulations adopted pursuant thereto or NRS 449.2486.

9 (g) Violation of the provisions of NRS 458.112.

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

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

16 (b) Is ordered to but fails to abate a nuisance pursuant to NRS
17 244.360, 244.3603 or 268.4124; or

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

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

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

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

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

32 ↪ The facility shall make the information available to the public
33 pursuant to NRS 449.2486.

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

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

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

41 **Sec. 14.** NRS 449.163 is hereby amended to read as follows:

42 449.163 1. In addition to the payment of the amount required
43 by NRS 449.0308, if a medical facility, facility for the dependent or
44 facility which is required by the regulations adopted by the Board
45 pursuant to NRS 449.0303 to be licensed violates any provision



1 related to its licensure, including any provision of NRS 439B.410 or
2 449.029 to 449.2428, inclusive, *and section 9 of this act* or any
3 condition, standard or regulation adopted by the Board, the
4 Division, in accordance with the regulations adopted pursuant to
5 NRS 449.165, may:

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

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

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

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

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

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

25 (2) Improvements are made to correct the violation.

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

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

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

32 3. The Division may require any facility that violates any
33 provision of NRS 439B.410 or 449.029 to 449.2428, inclusive, *and*
34 *section 9 of this act* or any condition, standard or regulation adopted
35 by the Board to make any improvements necessary to correct the
36 violation.

37 4. Any money collected as administrative penalties pursuant to
38 paragraph (d) of subsection 1 must be accounted for separately and
39 used to administer and carry out the provisions of NRS 449.001 to
40 449.430, inclusive, *and section 9 of this act*, 449.435 to 449.531,
41 inclusive, and chapter 449A of NRS to protect the health, safety,
42 well-being and property of the patients and residents of facilities in
43 accordance with applicable state and federal standards or for any
44 other purpose authorized by the Legislature.



1 **Sec. 15.** NRS 449.170 is hereby amended to read as follows:

2 449.170 1. ~~[When]~~ *Except where immediate suspension is*
3 *required by section 9 of this act, when* the Division intends to deny,
4 suspend or revoke a license, or impose any sanction prescribed by
5 NRS 449.163, it shall give reasonable notice to all parties by
6 certified mail. The notice must contain the legal authority,
7 jurisdiction and reasons for the action to be taken. Notice is not
8 required if the Division finds that the public health requires
9 immediate action. In that case, it may order a summary suspension
10 of a license pursuant to this section and NRS 233B.127 or impose
11 any sanction prescribed by NRS 449.163, pending proceedings for
12 revocation or other action.

13 2. If a person wants to contest the action of the Division, the
14 person must file an appeal pursuant to regulations adopted by the
15 Board.

16 3. Upon receiving notice of an appeal, the Division shall hold a
17 hearing pursuant to regulations adopted by the Board.

18 4. The Board shall adopt such regulations as are necessary to
19 carry out the provisions of this section.

20 **Sec. 16.** NRS 449.240 is hereby amended to read as follows:

21 449.240 The district attorney of the county in which the facility
22 is located shall, upon application by the Division, institute and
23 conduct the prosecution of any action for violation of any provisions
24 of NRS 449.029 to 449.245, inclusive ~~[]~~, *and section 9 of this act.*

25 **Sec. 17.** Chapter 450B of NRS is hereby amended by adding
26 thereto a new section to read as follows:

27 *If the health authority receives notification from the*
28 *Department of Health and Human Services pursuant to section 1*
29 *of this act that:*

30 1. *The holder of a permit to operate an ambulance, air*
31 *ambulance or vehicle of a fire-fighting agency is not in*
32 *compliance with the requirements of subsection 4 of NRS 439.589,*
33 *the health authority shall immediately suspend the permit until the*
34 *permit is reinstated pursuant to subsection 2.*

35 2. *The holder of a permit to operate an ambulance, air*
36 *ambulance or vehicle of a fire-fighting agency which has been*
37 *suspended pursuant to subsection 1 has come into compliance*
38 *with the requirements of subsection 4 of NRS 439.589, the health*
39 *authority shall immediately reinstate the permit.*

40 **Sec. 18.** NRS 218D.355 is hereby amended to read as follows:

41 218D.355 1. Except as otherwise provided in NRS 360.753,
42 360.754, 360.893 and 360.965 ~~[]~~ *and section 31 of this act,* any
43 state legislation enacted on or after July 1, 2012, which authorizes or
44 requires the Office of Economic Development to approve any



1 abatement of taxes or increases the amount of any abatement of
2 taxes which the Office is authorized or required to approve:

3 (a) Expires by limitation 10 years after the effective date of that
4 legislation.

5 (b) Does not apply to:

6 (1) Any taxes imposed pursuant to NRS 374.110 and
7 374.111 or 374.190 and 374.191; or

8 (2) Any entity that receives:

9 (I) Any funding from a governmental entity, other than
10 any private activity bonds as defined in 26 U.S.C. § 141; or

11 (II) Any real or personal property from a governmental
12 entity at no cost or at a reduced cost.

13 (c) Requires each recipient of the abatement to submit to the
14 Department of Taxation, on or before the last day of each even-
15 numbered year, a report on whether the recipient is in compliance
16 with the terms of the abatement. The Department of Taxation shall
17 establish a form for the report and may adopt such regulations as it
18 determines to be appropriate to carry out this paragraph. The report
19 must include, without limitation:

20 (1) The date the recipient commenced operation in this State;

21 (2) The number of employees actually employed by the
22 recipient and the average hourly wage of those employees;

23 (3) An accounting of any fees paid by the recipient to the
24 State and to local governmental entities;

25 (4) An accounting of the property taxes paid by the recipient
26 and the amount of those taxes that would have been due if not for
27 the abatement;

28 (5) An accounting of the sales and use taxes paid by the
29 recipient and the amount of those taxes that would have been due if
30 not for the abatement;

31 (6) An accounting of the total capital investment made in
32 connection with the project to which the abatement applies; and

33 (7) An accounting of the total investment in personal
34 property made in connection with the project to which the
35 abatement applies.

36 2. On or before January 15 of each odd-numbered year, the
37 Department of Taxation shall:

38 (a) Based upon the information submitted to the Department of
39 Taxation pursuant to paragraph (c) of subsection 1, prepare a written
40 report of its findings regarding whether the costs of the abatement
41 exceed the benefits of the abatement; and

42 (b) Submit the report to the Director for transmittal to the
43 Legislature.



1 **Sec. 19.** NRS 231.0685 is hereby amended to read as follows:
2 231.0685 The Office shall, on or before January 15 of each
3 odd-numbered year, prepare and submit to the Director of the
4 Legislative Counsel Bureau for transmission to the Legislature a
5 report concerning the abatements from taxation that the Office
6 approved pursuant to NRS 274.310, 274.320, 274.330, 360.750,
7 360.752, 360.753 or 360.754 ~~§~~ *or section 31 of this act*. The report
8 must set forth, for each abatement from taxation that the Office
9 approved during the fiscal years which are 3 fiscal years and 6 fiscal
10 years immediately preceding the submission of the report:

- 11 1. The dollar amount of the abatement;
- 12 2. The location of the business for which the abatement was
13 approved;
- 14 3. The value of infrastructure included as an incentive for the
15 business;
- 16 4. If applicable, the number of employees that the business for
17 which the abatement was approved employs or will employ;
- 18 5. Whether the business for which the abatement was approved
19 is a new business or an existing business;
- 20 6. The economic sector in which the business operates, the
21 number of primary jobs related to the business, the average wage
22 paid to employees of the business and the assessed values of
23 personal property and real property of the business;
- 24 7. Any information concerning whether the business for which
25 the abatement was approved participates or has participated in a
26 program of workforce development, as defined in NRS 231.146,
27 implemented by the Executive Director; and
- 28 8. Any other information that the Office determines to be
29 useful.

30 **Sec. 20.** NRS 231A.170 is hereby amended to read as follows:
31 231A.170 1. For the purpose of NRS 231A.110, a qualified
32 active low-income community business is limited to those
33 businesses meeting the Small Business Administration size
34 eligibility standards established in 13 C.F.R. §§ 121.101 to 201,
35 inclusive, at the time the qualified low-income community
36 investment is made. A business must be considered a qualified
37 active low-income community business for the duration of the
38 qualified community development entity's investment in, or loan to,
39 the business if the entity reasonably expects, at the time it makes the
40 investment or loan, that the business will continue to satisfy the
41 requirements for being a qualified active low-income community
42 business, other than the Small Business Administration size
43 standards, throughout the entire period of the investment or loan.

44 2. Except as otherwise provided in this subsection, the
45 businesses limited by this section do not include any business that



1 derives or projects to derive 15 percent or more of its annual
2 revenue from the rental or sale of real estate. This exclusion does
3 not apply to a business that is controlled by, or under common
4 control with, another business if the second business:

5 (a) Does not derive or project to derive 15 percent or more of its
6 annual revenue from the rental or sale of real estate; and

7 (b) Is the primary tenant of the real estate leased from the first
8 business.

9 3. Except as otherwise provided in subsection 4, the following
10 businesses are not qualified active low-income community
11 businesses:

12 (a) A business that has received an abatement from taxation
13 pursuant to NRS 274.310, 274.320, 274.330, 360.750, 360.753 or
14 360.754 ~~H~~ *or section 31 of this act.*

15 (b) An entity that has liability for insurance premium tax on a
16 premium tax report filed pursuant to NRS 680B.030.

17 (c) A business engaged in banking or lending.

18 (d) A massage parlor.

19 (e) A bath house.

20 (f) A tanning salon.

21 (g) A country club.

22 (h) A business operating under a nonrestricted license for
23 gaming issued pursuant to NRS 463.170.

24 (i) A liquor store.

25 (j) A golf course.

26 4. A business that has received an abatement from taxation
27 pursuant to NRS 274.310, 274.320, 274.330, 360.750, 360.753 or
28 360.754 *or section 31 of this act* is a qualified active low-income
29 community business if the business elects to waive the abatement
30 and provides written notice of the waiver of the abatement to the
31 Office of Economic Development not later than the due date of the
32 first payment of any tax which would be abated if the abatement
33 became effective. If the business provides the written notice to the
34 Office of Economic Development:

35 (a) Within the period required by this subsection:

36 (1) Any agreement entered into by the business and the
37 Office of Economic Development pursuant to NRS 274.310,
38 274.320, 274.330, 360.750, 360.753 or 360.754 *or section 31 of this*
39 *act* is void; and

40 (2) The Office of Economic Development must forward a
41 copy of the written notice to the Department and each governmental
42 entity or official to whom a copy of the certificate of eligibility for
43 the abatement was forwarded.

44 (b) After the period required by this subsection has expired, the
45 Office of Economic Development must provide written notice to the



1 Department and the business that the abatement has not been waived
2 and the business is not a qualified active low-income community
3 business.

4 **Sec. 21.** Chapter 232 of NRS is hereby amended by adding
5 thereto the provisions set forth as sections 22, 23 and 24 of this act.

6 **Sec. 22.** *As used in this section and sections 23 and 24 of this*
7 *act, unless the context otherwise requires, "Hub" means the*
8 *Nevada Innovation Hub established by section 23 of this act.*

9 **Sec. 23.** *1. The Nevada Innovation Hub is hereby*
10 *established within the Department.*

11 *2. The Director shall appoint the Chief Data Officer to serve*
12 *as the executive head of the Hub. The Chief Data Officer is in the*
13 *unclassified service of the State and serves at the pleasure of the*
14 *Director.*

15 *3. The Chief Data Officer shall:*

16 *(a) Oversee the operations of the Hub;*

17 *(b) Advise the Department, the divisions of the Department*
18 *and county, city and district boards of health and health*
19 *departments regarding best practices concerning the creation and*
20 *maintenance of data; and*

21 *(c) Coordinate planning concerning data analytics and*
22 *transparency for the Department.*

23 *4. The Department shall provide any additional personnel,*
24 *facilities, equipment and supplies required by the Hub to carry out*
25 *the provisions of this section and section 24 of this act.*

26 **Sec. 24.** *1. The Hub shall:*

27 *(a) Obtain information relating to public health from:*

28 *(1) The Department and its divisions;*

29 *(2) County, city and district boards of health and health*
30 *departments; and*

31 *(3) Persons and entities who provide such information*
32 *pursuant to subsection 2.*

33 *(b) Establish and maintain a program to:*

34 *(1) Collect, analyze and exchange the information*
35 *described in paragraph (a); and*

36 *(2) Make the information described in paragraph (a)*
37 *available to state agencies, political subdivisions of this State,*
38 *educational institutions, researchers, nongovernmental*
39 *organizations and the general public in accordance with the*
40 *regulations adopted pursuant to paragraph (c).*

41 *(c) Adopt regulations prescribing:*

42 *(1) The information that must be submitted to the Hub by*
43 *the Department, its divisions and county, city and district boards of*
44 *health and health departments;*



1 (2) *The procedure for submitting information to the Hub;*
2 *and*

3 (3) *Procedures by which state agencies, political*
4 *subdivisions of this State, educational institutions, researchers,*
5 *nongovernmental organizations and the general public may*
6 *request the information described in paragraph (a).*

7 (d) *Establish policies to protect the privacy of the information*
8 *described in paragraph (a) in accordance with all applicable state*
9 *and federal law.*

10 (e) *Maintain the security of the information described in*
11 *paragraph (a).*

12 (f) *Conduct operational and procedural audits of the*
13 *Department and its divisions.*

14 (g) *Perform financial planning for and design and implement*
15 *projects to improve the efficiency of the Department and its*
16 *divisions.*

17 (h) *Advise and assist the Department and its divisions to*
18 *identify and implement procedures to continuously improve*
19 *processes.*

20 (i) *Perform any other duties assigned by the Director or the*
21 *Chief Data Officer appointed pursuant to section 23 of this act.*

22 2. *The Hub may accept information relating to public health*
23 *from any person or entity.*

24 3. *Except as otherwise provided in this subsection, the*
25 *Department, a division thereof and a county, city or district board*
26 *of health or health department shall submit to the Hub any*
27 *information required by the regulations adopted pursuant to*
28 *paragraph (c) of subsection 1 using the procedures prescribed by*
29 *those regulations and provide any technical assistance necessary*
30 *to facilitate the sharing of such information. The Department, a*
31 *division thereof, or a county, city or district board of health or*
32 *health department is not required to submit such information if*
33 *the submission of the information may compromise an ongoing*
34 *criminal or civil investigation.*

35 4. *The Hub shall not:*

36 (a) *Make information available where prohibited by federal or*
37 *state law; or*

38 (b) *Make personally identifiable information available to an*
39 *educational institution, researcher, nongovernmental organization*
40 *or the general public. Such information in the possession of the*
41 *Hub is confidential and is not a public record.*

42 5. *The Hub shall be deemed the agent of any person or entity*
43 *when sharing information submitted to the Hub in accordance*
44 *with this section.*



1 **6. The sharing of information by the Hub with any agency or**
2 **political subdivision of this State does not constitute a disclosure**
3 **of the information for any purpose.**

4 **Sec. 25.** NRS 232.290 is hereby amended to read as follows:

5 232.290 As used in NRS 232.290 to 232.4983, inclusive, **and**
6 **sections 22, 23 and 24 of this act**, unless the context requires
7 otherwise:

8 1. "Department" means the Department of Health and Human
9 Services.

10 2. "Director" means the Director of the Department.

11 **Sec. 26.** NRS 232.320 is hereby amended to read as follows:

12 232.320 1. The Director:

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

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

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

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

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

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

26 (b) Shall administer, through the divisions of the Department,
27 the provisions of chapters 63, 424, 425, 427A, 432A to 442,
28 inclusive, 446 to 450, inclusive, 458A and 656A of NRS, NRS
29 127.220 to 127.310, inclusive, 422.001 to 422.410, inclusive, **and**
30 **section 39 of this act**, 422.580, 432.010 to 432.133, inclusive,
31 432B.6201 to 432B.626, inclusive, 444.002 to 444.430, inclusive,
32 and 445A.010 to 445A.055, inclusive, and all other provisions of
33 law relating to the functions of the divisions of the Department, but
34 is not responsible for the clinical activities of the Division of Public
35 and Behavioral Health or the professional line activities of the other
36 divisions.

37 (c) Shall administer any state program for persons with
38 developmental disabilities established pursuant to the
39 Developmental Disabilities Assistance and Bill of Rights Act of
40 2000, 42 U.S.C. §§ 15001 et seq.

41 (d) Shall, after considering advice from agencies of local
42 governments and nonprofit organizations which provide social
43 services, adopt a master plan for the provision of human services in
44 this State. The Director shall revise the plan biennially and deliver a



1 copy of the plan to the Governor and the Legislature at the
2 beginning of each regular session. The plan must:

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

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

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

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

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

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

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

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

27 2. Notwithstanding any other provision of law, the Director, or
28 the Director's designee, is responsible for appointing and removing
29 subordinate officers and employees of the Department.

30 **Sec. 27.** NRS 239.010 is hereby amended to read as follows:

31 239.010 1. Except as otherwise provided in this section and
32 NRS 1.4683, 1.4687, 1A.110, 3.2203, 41.0397, 41.071, 49.095,
33 49.293, 62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030,
34 62H.170, 62H.220, 62H.320, 75A.100, 75A.150, 76.160, 78.152,
35 80.113, 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413,
36 87A.200, 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345,
37 88A.7345, 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270,
38 116B.880, 118B.026, 119.260, 119.265, 119.267, 119.280,
39 119A.280, 119A.653, 119A.677, 119B.370, 119B.382, 120A.640,
40 120A.690, 125.130, 125B.140, 126.141, 126.161, 126.163, 126.730,
41 127.007, 127.057, 127.130, 127.140, 127.2817, 128.090, 130.312,
42 130.712, 136.050, 159.044, 159A.044, 172.075, 172.245, 176.015,
43 176.0625, 176.09129, 176.156, 176A.630, 178.39801, 178.4715,
44 178.5691, 179.495, 179A.070, 179A.165, 179D.160, 200.3771,
45 200.3772, 200.5095, 200.604, 202.3662, 205.4651, 209.392,



1 209.3923, 209.3925, 209.419, 209.429, 209.521, 211A.140,
2 213.010, 213.040, 213.095, 213.131, 217.105, 217.110, 217.464,
3 217.475, 218A.350, 218E.625, 218F.150, 218G.130, 218G.240,
4 218G.350, 224.240, 226.300, 228.270, 228.450, 228.495, 228.570,
5 231.069, 231.1473, 232.1369, 233.190, 237.300, 239.0105,
6 239.0113, 239.014, 239B.026, 239B.030, 239B.040, 239B.050,
7 239C.140, 239C.210, 239C.230, 239C.250, 239C.270, 239C.420,
8 240.007, 241.020, 241.030, 241.039, 242.105, 244.264, 244.335,
9 247.540, 247.550, 247.560, 250.087, 250.130, 250.140, 250.150,
10 268.095, 268.0978, 268.490, 268.910, 269.174, 271A.105, 281.195,
11 281.805, 281A.350, 281A.680, 281A.685, 281A.750, 281A.755,
12 281A.780, 284.4068, 284.4086, 286.110, 286.118, 287.0438,
13 289.025, 289.080, 289.387, 289.830, 293.4855, 293.5002, 293.503,
14 293.504, 293.558, 293.5757, 293.870, 293.906, 293.908, 293.910,
15 293B.135, 293D.510, 331.110, 332.061, 332.351, 333.333, 333.335,
16 338.070, 338.1379, 338.1593, 338.1725, 338.1727, 348.420,
17 349.597, 349.775, 353.205, 353A.049, 353A.085, 353A.100,
18 353C.240, 360.240, 360.247, 360.255, 360.755, 361.044, 361.2242,
19 361.610, 365.138, 366.160, 368A.180, 370.257, 370.327, 372A.080,
20 378.290, 378.300, 379.0075, 379.008, 379.1495, 385A.830,
21 385B.100, 387.626, 387.631, 388.1455, 388.259, 388.501, 388.503,
22 388.513, 388.750, 388A.247, 388A.249, 391.033, 391.035,
23 391.0365, 391.120, 391.925, 392.029, 392.147, 392.264, 392.271,
24 392.315, 392.317, 392.325, 392.327, 392.335, 392.850, 393.045,
25 394.167, 394.16975, 394.1698, 394.447, 394.460, 394.465,
26 396.1415, 396.1425, 396.143, 396.159, 396.3295, 396.405, 396.525,
27 396.535, 396.9685, 398A.115, 408.3885, 408.3886, 408.3888,
28 408.5484, 412.153, 414.280, 416.070, 422.2749, 422.305,
29 422A.342, 422A.350, 425.400, 427A.1236, 427A.872, 432.028,
30 432.205, 432B.175, 432B.280, 432B.290, 432B.4018, 432B.407,
31 432B.430, 432B.560, 432B.5902, 432C.140, 432C.150, 433.534,
32 433A.360, 439.4941, 439.4988, 439.840, 439.914, 439A.116,
33 439A.124, 439B.420, 439B.754, 439B.760, 439B.845, 440.170,
34 441A.195, 441A.220, 441A.230, 442.330, 442.395, 442.735,
35 442.774, 445A.665, 445B.570, 445B.7773, 447.345, 449.209,
36 449.245, 449.4315, 449A.112, 450.140, 450B.188, 450B.805,
37 453.164, 453.720, 458.055, 458.280, 459.050, 459.3866, 459.555,
38 459.7056, 459.846, 463.120, 463.15993, 463.240, 463.3403,
39 463.3407, 463.790, 467.1005, 480.535, 480.545, 480.935, 480.940,
40 481.063, 481.091, 481.093, 482.170, 482.368, 482.5536, 483.340,
41 483.363, 483.575, 483.659, 483.800, 484A.469, 484B.830,
42 484B.833, 484E.070, 485.316, 501.344, 503.452, 522.040,
43 534A.031, 561.285, 571.160, 584.655, 587.877, 598.0964, 598.098,
44 598A.110, 598A.420, 599B.090, 603.070, 603A.210, 604A.303,
45 604A.710, 612.265, 616B.012, 616B.015, 616B.315, 616B.350,



1 618.341, 618.425, 622.238, 622.310, 623.131, 623A.137, 624.110,
2 624.265, 624.327, 625.425, 625A.185, 628.418, 628B.230,
3 628B.760, 629.047, 629.069, 630.133, 630.2671, 630.2672,
4 630.2673, 630.30665, 630.336, 630A.327, 630A.555, 631.332,
5 631.368, 632.121, 632.125, 632.3415, 632.3423, 632.405, 633.283,
6 633.301, 633.4715, 633.4716, 633.4717, 633.524, 634.055,
7 634.1303, 634.214, 634A.169, 634A.185, 635.111, 635.158,
8 636.262, 636.342, 637.085, 637.145, 637B.192, 637B.288, 638.087,
9 638.089, 639.183, 639.2485, 639.570, 640.075, 640.152, 640A.185,
10 640A.220, 640B.405, 640B.730, 640C.580, 640C.600, 640C.620,
11 640C.745, 640C.760, 640D.135, 640D.190, 640E.225, 640E.340,
12 641.090, 641.221, 641.2215, 641.325, 641A.191, 641A.217,
13 641A.262, 641B.170, 641B.281, 641B.282, 641C.455, 641C.760,
14 641D.260, 641D.320, 642.524, 643.189, 644A.870, 645.180,
15 645.625, 645A.050, 645A.082, 645B.060, 645B.092, 645C.220,
16 645C.225, 645D.130, 645D.135, 645G.510, 645H.320, 645H.330,
17 647.0945, 647.0947, 648.033, 648.197, 649.065, 649.067, 652.126,
18 652.228, 653.900, 654.110, 656.105, 657A.510, 661.115, 665.130,
19 665.133, 669.275, 669.285, 669A.310, 671.170, 673.450, 673.480,
20 675.380, 676A.340, 676A.370, 677.243, 678A.470, 678C.710,
21 678C.800, 679B.122, 679B.124, 679B.152, 679B.159, 679B.190,
22 679B.285, 679B.690, 680A.270, 681A.440, 681B.260, 681B.410,
23 681B.540, 683A.0873, 685A.077, 686A.289, 686B.170, 686C.306,
24 687A.060, 687A.115, 687B.404, 687C.010, 688C.230, 688C.480,
25 688C.490, 689A.696, 692A.117, 692C.190, 692C.3507, 692C.3536,
26 692C.3538, 692C.354, 692C.420, 693A.480, 693A.615, 696B.550,
27 696C.120, 703.196, 704B.325, 706.1725, 706A.230, 710.159,
28 711.600, *and section 24 of this act*, sections 35, 38 and 41 of
29 chapter 478, Statutes of Nevada 2011 and section 2 of chapter 391,
30 Statutes of Nevada 2013 and unless otherwise declared by law to be
31 confidential, all public books and public records of a governmental
32 entity must be open at all times during office hours to inspection by
33 any person, and may be fully copied or an abstract or memorandum
34 may be prepared from those public books and public records. Any
35 such copies, abstracts or memoranda may be used to supply the
36 general public with copies, abstracts or memoranda of the records or
37 may be used in any other way to the advantage of the governmental
38 entity or of the general public. This section does not supersede or in
39 any manner affect the federal laws governing copyrights or enlarge,
40 diminish or affect in any other manner the rights of a person in any
41 written book or record which is copyrighted pursuant to federal law.
42 2. A governmental entity may not reject a book or record
43 which is copyrighted solely because it is copyrighted.
44 3. A governmental entity that has legal custody or control of a
45 public book or record shall not deny a request made pursuant to



1 subsection 1 to inspect or copy or receive a copy of a public book or
2 record on the basis that the requested public book or record contains
3 information that is confidential if the governmental entity can
4 redact, delete, conceal or separate, including, without limitation,
5 electronically, the confidential information from the information
6 included in the public book or record that is not otherwise
7 confidential.

8 4. If requested, a governmental entity shall provide a copy of a
9 public record in an electronic format by means of an electronic
10 medium. Nothing in this subsection requires a governmental entity
11 to provide a copy of a public record in an electronic format or by
12 means of an electronic medium if:

- 13 (a) The public record:
14 (1) Was not created or prepared in an electronic format; and
15 (2) Is not available in an electronic format; or
16 (b) Providing the public record in an electronic format or by
17 means of an electronic medium would:
18 (1) Give access to proprietary software; or
19 (2) Require the production of information that is confidential
20 and that cannot be redacted, deleted, concealed or separated from
21 information that is not otherwise confidential.

22 5. An officer, employee or agent of a governmental entity who
23 has legal custody or control of a public record:

- 24 (a) Shall not refuse to provide a copy of that public record in the
25 medium that is requested because the officer, employee or agent has
26 already prepared or would prefer to provide the copy in a different
27 medium.
28 (b) Except as otherwise provided in NRS 239.030, shall, upon
29 request, prepare the copy of the public record and shall not require
30 the person who has requested the copy to prepare the copy himself
31 or herself.

32 **Sec. 28.** NRS 287.010 is hereby amended to read as follows:
33 287.010 1. The governing body of any county, school
34 district, municipal corporation, political subdivision, public
35 corporation or other local governmental agency of the State of
36 Nevada may:

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

- 44 (b) Purchase group policies of life, accident or health insurance,
45 or any combination thereof, for the benefit of such officers and



1 employees, and the dependents of such officers and employees, as
2 have authorized the purchase, from insurance companies authorized
3 to transact the business of such insurance in the State of Nevada,
4 and, where necessary, deduct from the compensation of officers and
5 employees the premiums upon insurance and pay the deductions
6 upon the premiums.

7 (c) Provide group life, accident or health coverage through a
8 self-insurance reserve fund and, where necessary, deduct
9 contributions to the maintenance of the fund from the compensation
10 of officers and employees and pay the deductions into the fund. The
11 money accumulated for this purpose through deductions from the
12 compensation of officers and employees and contributions of the
13 governing body must be maintained as an internal service fund as
14 defined by NRS 354.543. The money must be deposited in a state or
15 national bank or credit union authorized to transact business in the
16 State of Nevada. Any independent administrator of a fund created
17 under this section is subject to the licensing requirements of chapter
18 683A of NRS, and must be a resident of this State. Any contract
19 with an independent administrator must be approved by the
20 Commissioner of Insurance as to the reasonableness of
21 administrative charges in relation to contributions collected and
22 benefits provided. The provisions of NRS **439.581 to 439.595,**
23 **inclusive, and section 1 of this act,** 686A.135, 687B.352, 687B.408,
24 687B.723, 687B.725, 689B.030 to 689B.050, inclusive, 689B.265,
25 689B.287 and 689B.500 apply to coverage provided pursuant to this
26 paragraph, except that the provisions of NRS 689B.0378,
27 689B.03785 and 689B.500 only apply to coverage for active officers
28 and employees of the governing body, or the dependents of such
29 officers and employees.

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

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

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



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

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

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

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

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

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

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

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

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

30 **Sec. 29.** NRS 287.04335 is hereby amended to read as
31 follows:

32 287.04335 If the Board provides health insurance through a
33 plan of self-insurance, it shall comply with the provisions of NRS
34 **439.581 to 439.595, inclusive, and section 1 of this act,** 686A.135,
35 687B.352, 687B.409, 687B.723, 687B.725, 689B.0353, 689B.255,
36 695C.1723, 695G.150, 695G.155, 695G.160, 695G.162,
37 695G.1635, 695G.164, 695G.1645, 695G.1665, 695G.167,
38 695G.1675, 695G.170 to 695G.174, inclusive, 695G.176, 695G.177,
39 695G.200 to 695G.230, inclusive, 695G.241 to 695G.310, inclusive,
40 and 695G.405, in the same manner as an insurer that is licensed
41 pursuant to title 57 of NRS is required to comply with those
42 provisions.

43 **Sec. 30.** NRS 353.207 is hereby amended to read as follows:

44 353.207 1. The Chief shall:



1 (a) Require the Office of Economic Development and the Office
2 of Energy each periodically to conduct an analysis of the relative
3 costs and benefits of each incentive for economic development
4 previously approved by the respective office and in effect during the
5 immediately preceding 2 fiscal years, including, without limitation,
6 any abatement of taxes approved by the Office of Economic
7 Development pursuant to NRS 274.310, 274.320, 274.330, 360.750,
8 360.752, 360.753, 360.754, 360.890, 360.950, 361.0687, 374.357 or
9 701A.210, *or section 31 of this act*, to assist the Governor and the
10 Legislature in determining whether the economic benefits of the
11 incentive have accomplished the purposes of the statute pursuant to
12 which the incentive was approved and warrant additional incentives
13 of that kind;

14 (b) Require each office to report in writing to the Chief the
15 results of the analysis conducted by the office pursuant to paragraph
16 (a); and

17 (c) Establish a schedule for performing and reporting the results
18 of the analysis required by paragraph (a) which ensures that the
19 results of the analysis reported by each office are included in the
20 proposed budget prepared pursuant to NRS 353.205, as required by
21 that section.

22 2. Each report prepared for the Chief pursuant to this section is
23 a public record and is open to inspection pursuant to the provisions
24 of NRS 239.010.

25 **Sec. 31.** Chapter 360 of NRS is hereby amended by adding
26 thereto a new section to read as follows:

27 *1. A person who intends to locate or expand a business in an*
28 *academic medical district in this State may apply to the Office of*
29 *Economic Development pursuant to this section for a partial*
30 *abatement of one or more of:*

31 *(a) The local sales and use taxes imposed on the purchase of*
32 *eligible machinery, equipment and supplies, as defined in section*
33 *37 of this act.*

34 *(b) The taxes imposed on the business pursuant to chapter 361*
35 *of NRS.*

36 *(c) The taxes imposed pursuant to chapter 363B of NRS on the*
37 *wages paid by the business to employees of the business who*
38 *perform services directly related to addressing a critical medical or*
39 *scientific need, as defined by regulation of the Office of Economic*
40 *Development.*

41 *2. Notwithstanding the provisions of any law to the contrary*
42 *and except as otherwise provided in subsection 3, the Office of*
43 *Economic Development shall approve an application for a partial*
44 *abatement if the Office makes the following determinations:*



1 (a) Not later than 1 year after the date on which the
2 application was received by the Office, the applicant has executed
3 an agreement with the Office which:

4 (1) Complies with the requirements of NRS 360.755;

5 (2) States the date on which the abatement becomes
6 effective, as agreed to by the applicant and the Office, which must
7 not be earlier than the date on which the Office received the
8 application and not later than 1 year after the date on which the
9 Office approves the application;

10 (3) States that the business will, after the date on which a
11 certificate of eligibility for the partial abatement is issued pursuant
12 to subsection 4, continue in operation in this State for a period
13 specified by the Office, which must be not less than 5 years, and
14 will continue to meet the eligibility requirements set forth in this
15 subsection; and

16 (4) Binds any successor in interest of the applicant for the
17 specified period;

18 (b) The business is registered pursuant to the laws of this State
19 or the applicant commits to obtaining a valid business license and
20 all other permits required by the county, city or town in which the
21 business operates;

22 (c) The average hourly wage that will be paid by the business
23 to its employees in this State during the period of partial
24 abatement is not less than 100 percent of the average statewide
25 hourly wage as established by the Employment Security Division
26 of the Department of Employment, Training and Rehabilitation on
27 July 1 of each fiscal year;

28 (d) The business will, by the eighth calendar quarter following
29 the calendar quarter in which the abatement becomes effective,
30 offer a health insurance plan for all employees that includes an
31 option for health insurance coverage for dependents of the
32 employees, and the health care benefits the business offers to its
33 employees in this State will meet the minimum requirements for
34 health care benefits established by the Office;

35 (e) The business offers all employees at least 10 days of paid
36 leave each calendar year, which may be used by employees of the
37 business in accordance with a policy adopted by the business;

38 (f) The business will make a new capital investment of at least
39 \$3,000,000 in this State within 1 year after receiving a certificate
40 of eligibility for a partial abatement;

41 (g) The business engages in qualified research in the field of
42 health care at a location within an academic medical district in
43 this State; and

44 (h) If the application is for the partial abatement of the taxes
45 imposed by the Local School Support Tax Law, the application



1 *has been approved by a vote of at least two-thirds of the members*
2 *of the Board of Economic Development created by NRS 231.033.*

3 *3. The Office of Economic Development:*

4 *(a) Shall approve or deny an application submitted pursuant to*
5 *this section and notify the applicant of its decision not later than*
6 *45 days after receiving the application.*

7 *(b) Must not:*

8 *(1) Consider an application for a partial abatement unless*
9 *the Office has requested a letter of acknowledgment of the request*
10 *for the partial abatement from any affected county, school district,*
11 *city or town and has complied with the requirements of NRS*
12 *360.757; or*

13 *(2) Approve a partial abatement for any applicant for a*
14 *period of more than 10 years.*

15 *4. If the Office of Economic Development approves an*
16 *application for a partial abatement pursuant to this section, the*
17 *Office shall immediately forward a certificate of eligibility for the*
18 *partial abatement to:*

19 *(a) The Department;*

20 *(b) The Nevada Tax Commission; and*

21 *(c) If the partial abatement is from personal property taxes, the*
22 *appropriate county treasurer.*

23 *5. An applicant for a partial abatement pursuant to this*
24 *section or an existing business whose partial abatement is in effect*
25 *shall, upon the request of the Executive Director of the Office of*
26 *Economic Development, furnish the Executive Director with*
27 *copies of all records necessary to verify that the applicant meets*
28 *the requirements of subsection 2.*

29 *6. If an applicant for a partial abatement pursuant to this*
30 *section fails to execute the agreement described in paragraph (a)*
31 *of subsection 2 within 1 year after the date on which the*
32 *application was received by the Office, the applicant must not be*
33 *approved for a partial abatement pursuant to this section unless*
34 *the applicant submits a new application.*

35 *7. If a business whose partial abatement has been approved*
36 *pursuant to this section and whose partial abatement is in effect*
37 *ceases:*

38 *(a) To meet the requirements set forth in subsection 2; or*

39 *(b) Operation before the time specified in the agreement*
40 *described in paragraph (a) of subsection 2,*

41 *↳ the business shall repay to the Department the amount of the*
42 *partial abatement that was allowed pursuant to this section before*
43 *the failure of the business to comply, unless the Nevada Tax*
44 *Commission determines that the business has substantially*
45 *complied with the requirements of this section. Except as*



1 *otherwise provided in NRS 360.232 and 360.320, the business*
2 *shall, in addition to the amount of the partial abatement required*
3 *to be repaid pursuant to this subsection, pay interest on the*
4 *amount due at the rate most recently established pursuant to NRS*
5 *99.040 for each month, or portion thereof, from the last day of the*
6 *month following the period for which the payment would have*
7 *been made had the partial abatement not been approved until the*
8 *date of payment of the tax.*

9 *8. The Office of Economic Development may adopt such*
10 *regulations as the Office determines to be necessary to carry out*
11 *the provisions of this section.*

12 *9. The Nevada Tax Commission may adopt such regulations*
13 *as the Commission determines are necessary to carry out the*
14 *provisions of this section.*

15 *10. An applicant for a partial abatement who is aggrieved by*
16 *a final decision of the Office of Economic Development may*
17 *petition a court of competent jurisdiction to review the decision in*
18 *the manner provided in chapter 233B of NRS.*

19 *11. As used in this section:*

20 *(a) "Academic medical district" means an area defined by an*
21 *ordinance enacted by a county or incorporated city that contains*
22 *within its boundaries an educational institution that:*

23 *(1) Includes an allopathic medical school that is accredited*
24 *by the Liaison Committee on Medical Education of the American*
25 *Medical Association and the Association of American Medical*
26 *Colleges or their respective successor organizations, or a school of*
27 *osteopathic medicine that is accredited by the Commission on*
28 *Osteopathic College Accreditation;*

29 *(2) Includes at least one allied health professional school;*
30 *and*

31 *(3) Either owns or is affiliated with a teaching hospital or*
32 *health care system.*

33 *(b) "Local sales and use taxes" means any taxes imposed on*
34 *the gross receipts of any retailer from the sale of tangible personal*
35 *property sold at retail, or stored, used or otherwise consumed, in*
36 *any political subdivision of this State, except the taxes imposed by*
37 *the Sales and Use Tax Act.*

38 *(c) "Qualified research" has the meaning ascribed to it in 26*
39 *U.S.C. § 41(d).*

40 **Sec. 32.** NRS 360.755 is hereby amended to read as follows:

41 360.755 1. If the Office of Economic Development approves
42 an application by a business for an abatement of taxes pursuant to
43 NRS 360.950 or a partial abatement pursuant to NRS 360.750,
44 360.752, 360.753, 360.754 or 360.890, *or section 31 of this act*, the
45 agreement with the Office must provide that the business:



1 (a) Agrees to allow the Department to conduct audits of the
2 business to determine whether the business is in full compliance
3 with the requirements for the abatement or partial abatement; and

4 (b) Consents to the disclosure of the audit reports in the manner
5 set forth in this section.

6 2. If the Department conducts an audit of the business to
7 determine whether the business is in full compliance with the
8 requirements for the abatement or partial abatement, the Department
9 shall, upon request, provide the audit report to the Office of
10 Economic Development.

11 3. Until the business has exhausted all appeals to the
12 Department and the Nevada Tax Commission relating to the audit,
13 the information contained in the audit report provided to the Office
14 of Economic Development:

15 (a) Is confidential proprietary information of the business;

16 (b) Is not a public record; and

17 (c) Must not be disclosed to any person who is not an officer or
18 employee of the Office of Economic Development unless the
19 business consents to the disclosure.

20 4. After the business has exhausted all appeals to the
21 Department and the Nevada Tax Commission relating to the audit:

22 (a) The audit report provided to the Office of Economic
23 Development is a public record; and

24 (b) Upon request by any person, the Executive Director of the
25 Office of Economic Development shall disclose the audit report to
26 the person who made the request, except for any information in the
27 audit report that is protected from disclosure pursuant to
28 subsection 5.

29 5. Before the Executive Director of the Office of Economic
30 Development discloses the audit report to the public, the business
31 may submit a request to the Executive Director to protect from
32 disclosure any information in the audit report which, under
33 generally accepted business practices, would be considered a trade
34 secret or other confidential proprietary information of the business.
35 After consulting with the business, the Executive Director shall
36 determine whether to protect the information from disclosure. The
37 decision of the Executive Director is final and is not subject to
38 judicial review. If the Executive Director determines to protect the
39 information from disclosure, the protected information:

40 (a) Is confidential proprietary information of the business;

41 (b) Is not a public record;

42 (c) Must be redacted by the Executive Director from any audit
43 report that is disclosed to the public; and



1 (d) Must not be disclosed to any person who is not an officer or
2 employee of the Office of Economic Development unless the
3 business consents to the disclosure.

4 **Sec. 33.** NRS 360.757 is hereby amended to read as follows:

5 360.757 1. The Office of Economic Development shall not
6 take any action on an application for any abatement of taxes
7 pursuant to NRS 274.310, 274.320, 274.330, 360.750, 360.753 or
8 360.754 *or section 31 of this act* or any other specific statute unless
9 the Office:

10 (a) Takes that action at a public meeting conducted for that
11 purpose; and

12 (b) At least 30 days before the meeting, provides notice of the
13 application to:

14 (1) The governing body of the county, the board of trustees
15 of the school district and the governing body of the city or town, if
16 any, in which the pertinent business is or will be located;

17 (2) The governing body of any other political subdivision
18 that could be affected by the abatement; and

19 (3) The general public.

20 2. The notice required by this section must set forth the date,
21 time and location of the meeting at which the Office of Economic
22 Development will consider the application.

23 3. The Office of Economic Development shall adopt
24 regulations relating to the notice required by this section.

25 **Sec. 34.** NRS 360.7575 is hereby amended to read as follows:

26 360.7575 1. If the Office of Economic Development
27 approves an application for an abatement of sales and use taxes
28 pursuant to NRS 360.950 or a partial abatement of any sales and use
29 taxes pursuant to NRS 274.310, 274.320, 274.330, 360.750,
30 360.753, 360.754 or 360.890, *or section 31 of this act*, the
31 Department shall issue to the business a document certifying the
32 abatement or partial abatement which can be presented to retailers at
33 the time of purchase. The document must clearly state that the
34 business is not required to pay sales and use taxes or the rate of sales
35 and use tax that the business is required to pay.

36 2. If the Department has issued to a business a document
37 pursuant to subsection 1 and the business pays an amount of sales
38 and use taxes for which the business was entitled to an abatement
39 because the business fails to present the document, the business may
40 apply to the Department for a refund of the amount of sales and use
41 tax paid for which the business was entitled to an abatement. If the
42 Department has issued to a business a document pursuant to
43 subsection 1 and the failure of the business to present the document
44 results in the business paying the full amount of sales and use tax on
45 50 percent or more of the purchases for which the business was



1 eligible for the abatement, the Department shall impose on the
2 business a penalty equal to 10 percent of the total amount of the
3 abatement. The Department shall distribute the proceeds of any
4 penalty imposed pursuant to this subsection to each local
5 government affected by a refund issued pursuant to this subsection
6 in proportion to the amount of the refunds for which the affected
7 local government is responsible.

8 3. If, after submitting an application for an abatement of sales
9 and use taxes pursuant to NRS 360.950 or a partial abatement of any
10 sales and use taxes pursuant to NRS 360.750, 360.753, 360.754 or
11 360.890 *or section 31 of this act* and before receiving the document
12 issued pursuant to subsection 1, a business pays an amount of sales
13 and use tax for which the business is entitled to an abatement, the
14 business may apply to the Department for a refund of the amount of
15 sales and use tax which the applicant paid for which the business is
16 entitled to an abatement.

17 4. Notwithstanding any other provision of law, no interest is
18 allowed on a refund made pursuant to subsection 2 or 3.

19 **Sec. 35.** Chapter 361 of NRS is hereby amended by adding
20 thereto a new section to read as follows:

21 *1. A person who intends to locate or expand a business in this*
22 *State may, pursuant to section 31 of this act, apply to the Office of*
23 *Economic Development for a partial abatement from the taxes*
24 *imposed by this chapter.*

25 *2. If a partial abatement from the taxes imposed by this*
26 *chapter on personal property located at the business is approved*
27 *by the Office of Economic Development pursuant to section 31 of*
28 *this act:*

29 *(a) The partial abatement must:*

30 *(1) Be for a duration of 10 years but not more than 20*
31 *years; and*

32 *(2) Equal 50 percent of the taxes imposed on the real*
33 *property of the business each year pursuant to this chapter and 50*
34 *percent of the taxes imposed on the personal property of the*
35 *business that is eligible machinery, equipment and supplies; and*

36 *(3) Be administered and carried out in the manner set forth*
37 *in section 31 of this act.*

38 *(b) The Executive Director of the Office of Economic*
39 *Development shall notify the county assessor of each county in*
40 *which the business is located of the approval of the partial*
41 *abatement, including, without limitation, the duration and*
42 *percentage of the partial abatement that the Office granted. The*
43 *Executive Director shall, on or before April 15 of each year,*
44 *advise the county assessor of each county in which a business*
45 *qualifies for a partial abatement during the current fiscal year as*



1 *to whether the business is still eligible for the partial abatement in*
2 *the next succeeding fiscal year.*

3 3. *As used in this section:*

4 (a) *“Eligible machinery, equipment and supplies” means*
5 *machinery, equipment and supplies necessary to and specifically*
6 *related to qualified research. The term does not include vehicles,*
7 *buildings or the structural components of buildings.*

8 (b) *“Qualified research” has the meaning ascribed to it in 26*
9 *U.S.C. § 41(d).*

10 **Sec. 36.** Chapter 363B of NRS is hereby amended by adding
11 thereto a new section to read as follows:

12 1. *An employer that qualifies pursuant to the provisions of*
13 *section 31 of this act is entitled to an abatement of the amount of*
14 *tax otherwise due pursuant to NRS 363B.110.*

15 2. *The abatement must:*

16 (a) *Be for a duration of 10 years; and*

17 (b) *Equal the amount of tax otherwise due pursuant to NRS*
18 *363B.110 on the wages of employees of the business who perform*
19 *services directly related to addressing a critical medical or*
20 *scientific need, as defined by regulations adopted by the Office of*
21 *Economic Development pursuant to section 31 of this act.*

22 3. *If a partial abatement from the taxes otherwise due*
23 *pursuant to NRS 363B.110 is approved by the Office of Economic*
24 *Development pursuant to NRS 360.750, the partial abatement*
25 *must be administered and carried out in the manner set forth in*
26 *NRS 360.750.*

27 **Sec. 37.** Chapter 374 of NRS is hereby amended by adding
28 thereto a new section to read as follows:

29 1. *A person who intends to locate or expand a business in this*
30 *State may, pursuant to section 31 of this act, apply to the Office of*
31 *Economic Development for a partial abatement from the taxes*
32 *imposed by this chapter on the gross receipts from the sale, and*
33 *the storage, use or other consumption, of eligible machinery,*
34 *equipment and supplies for use at the business which has been*
35 *approved for a partial abatement pursuant to section 31 of this act.*

36 2. *If an application for a partial abatement is approved:*

37 (a) *The business is eligible for an abatement from the tax*
38 *imposed by this chapter for a period of 10 years.*

39 (b) *The abatement must be administered and carried out in the*
40 *manner set forth in section 31 of this act.*

41 3. *As used in this section:*

42 (a) *“Eligible machinery, equipment and supplies” means*
43 *machinery, equipment and supplies necessary to and specifically*
44 *related to qualified research. The term does not include vehicles,*
45 *buildings or the structural components of buildings.*



1 ***(b) “Qualified research” has the meaning ascribed to it in 26***
2 ***U.S.C. § 41(d).***

3 **Sec. 38.** NRS 374.357 is hereby amended to read as follows:

4 374.357 1. A person who maintains a business or intends to
5 locate a business in this State may, pursuant to NRS 360.750, apply
6 to the Office of Economic Development for an abatement from the
7 taxes imposed by this chapter on the gross receipts from the sale,
8 and the storage, use or other consumption, of eligible machinery or
9 equipment for use by a business which has been approved for an
10 abatement pursuant to NRS 360.750.

11 2. If an application for an abatement is approved pursuant to
12 NRS 360.750:

13 (a) The taxpayer is eligible for an abatement from the tax
14 imposed by this chapter for not more than 2 years.

15 (b) The abatement must be administered and carried out in the
16 manner set forth in NRS 360.750.

17 3. As used in this section, unless the context otherwise
18 requires, “eligible machinery or equipment” means machinery or
19 equipment for which a deduction is authorized pursuant to 26 U.S.C.
20 § 179. The term does not include:

21 (a) Buildings or the structural components of buildings;

22 (b) Equipment used by a public utility;

23 (c) ~~Equipment used for medical treatment;~~

24 —~~(d)~~ Machinery or equipment used in mining; or

25 ~~(e)~~ (d) Machinery or equipment used in gaming.

26 **Sec. 39.** Chapter 422 of NRS is hereby amended by adding
27 thereto a new section to read as follows:

28 1. *The Legislature hereby finds and declares that it is the*
29 *public policy of this State that each resident of this State who*
30 *otherwise qualifies for enrollment in Medicaid, regardless of his*
31 *or her immigration or citizenship status, is eligible to receive the*
32 *benefits of enrolling in Medicaid pursuant to 8 U.S.C. § 1621(d).*

33 2. *The Director shall include in the State Plan for Medicaid*
34 *authorization for any person who otherwise qualifies for Medicaid*
35 *to enroll in Medicaid, regardless of his or her immigration or*
36 *citizenship status. Such authorization must be included regardless*
37 *of whether federal financial participation is available to pay the*
38 *costs of covering the persons authorized by this subsection to*
39 *enroll in Medicaid.*

40 3. *To the extent that federal financial participation is*
41 *available to pay the costs of covering the persons authorized by*
42 *subsection 2 to enroll in Medicaid, the Director shall apply for any*
43 *federal waivers or take any other action necessary to obtain such*
44 *federal financial participation.*



1 **Sec. 40.** Chapter 422A of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 41 and 42 of this act.

3 **Sec. 41. 1.** *The Medicaid Outreach Advisory Committee is*
4 *hereby established within the Division of Welfare and Supportive*
5 *Services.*

6 2. *The Advisory Committee consists of such members as are*
7 *appointed by the Administrator. The members appointed by the*
8 *Administrator must be persons with experience conducting*
9 *outreach to persons described in subsection 1 of section 42 of this*
10 *act.*

11 3. *Except as otherwise provided in this section, the members*
12 *of the Advisory Committee must be appointed to terms of 4 years.*
13 *The terms must be staggered in such a manner that, to the extent*
14 *possible, the terms of one-half of the members will expire every 2*
15 *years. The initial members of the Advisory Committee shall, at the*
16 *first meeting of the board after their appointment, draw lots to*
17 *determine which members will initially serve terms of 2 years and*
18 *which will serve terms of 4 years. A member of the Advisory*
19 *Committee may be reappointed.*

20 4. *A vacancy in the membership of the Advisory Committee*
21 *must be filled in the same manner as the initial appointment.*

22 5. *The members of the Advisory Committee serve without*
23 *compensation and are not entitled to the per diem and travel*
24 *expenses provided for state officers and employees generally.*

25 6. *Each member of the Advisory Committee who is an officer*
26 *or employee of this State or a political subdivision of this State*
27 *must be relieved from his or her duties without loss of regular*
28 *compensation so that the officer or employee may prepare for and*
29 *attend meetings of the Advisory Committee and perform any work*
30 *necessary to carry out the duties of the Advisory Committee in the*
31 *most timely manner practicable. A state agency or political*
32 *subdivision of this State shall not require an officer or employee*
33 *who is a member of the Advisory Committee to make up the time*
34 *the officer or employee is absent from work to carry out duties as a*
35 *member of the Advisory Committee or use annual leave or*
36 *compensatory time for the absence.*

37 7. *The Division shall provide such administrative support to*
38 *the Advisory Committee as is necessary to carry out the duties of*
39 *the Advisory Committee.*

40 8. *The Advisory Committee shall:*

41 (a) *Annually elect a Chair from among its members; and*

42 (b) *Meet at least once every 3 months at the times and places*
43 *specified by a call of the Chair and may meet at such further times*
44 *as deemed necessary by the Chair.*



1 *9. A majority of the voting members of the Advisory*
2 *Committee constitutes a quorum for the transaction of business,*
3 *and the affirmative vote of a majority of the members of the*
4 *Advisory Committee is required to take action.*

5 **Sec. 42. 1.** *The Medicaid Outreach Advisory Committee*
6 *created by section 41 of this act shall advise the Department, the*
7 *Division of Health Care Financing and Policy and the Division of*
8 *Welfare and Supportive Services concerning outreach to, and*
9 *maximizing enrollment in Medicaid and the Children's Health*
10 *Insurance Program of, members of marginalized or underserved*
11 *communities, including, without limitation:*

12 (a) *Racial and ethnic minorities;*

13 (b) *Persons who reside in rural areas;*

14 (c) *Persons with disabilities;*

15 (d) *Persons with mental illness;*

16 (e) *Persons with substance use disorders;*

17 (f) *Persons experiencing homelessness; and*

18 (g) *Parents or guardians of children who are persons*
19 *described in paragraphs (a) to (f), inclusive.*

20 **2.** *The Advisory Committee shall annually compile a report of*
21 *its activities and post the report on an Internet website maintained*
22 *by the Division.*

23 **Sec. 43.** NRS 422A.372 is hereby amended to read as follows:

24 422A.372 1. The Department shall provide public assistance
25 pursuant to:

26 (a) The program established to provide Temporary Assistance
27 for Needy Families; *or*

28 (b) ~~Medicaid; or~~

29 ~~(c)~~ Any program for which a grant has been provided to this
30 State pursuant to 42 U.S.C. §§ 1397 et seq.,

31 ~~↳~~ to a qualified person who is not a citizen or national of the United
32 States who complies with the requirements established by the
33 Department pursuant to federal law and this chapter for the receipt
34 of benefits pursuant to that program.

35 2. A person who is not a citizen or national of the United States
36 is considered "qualified" for the purposes of subsection 1 if the
37 person meets the requirements of 8 U.S.C. § 1641(b).

38 **Sec. 44.** NRS 603A.100 is hereby amended to read as follows:

39 603A.100 1. The provisions of NRS 603A.010 to 603A.290,
40 inclusive, do not apply to the maintenance or transmittal of
41 information in accordance with NRS 439.581 to 439.595, inclusive,
42 *and section 1 of this act* and the regulations adopted pursuant
43 thereto.



1 2. A data collector who is also an operator, as defined in NRS
2 603A.330, shall comply with the provisions of NRS 603A.300 to
3 603A.360, inclusive.

4 3. Any waiver of the provisions of NRS 603A.010 to
5 603A.290, inclusive, is contrary to public policy, void and
6 unenforceable.

7 **Sec. 45.** NRS 629.051 is hereby amended to read as follows:

8 629.051 1. Except as otherwise provided in this section and
9 in regulations adopted by the State Board of Health pursuant to NRS
10 652.135 with regard to the records of a medical laboratory and
11 unless a longer period is provided by federal law, each custodian of
12 health care records shall retain the health care records of patients as
13 part of the regularly maintained records of the custodian for 5 years
14 after their receipt or production. Health care records may be retained
15 in written form, or by microfilm or any other recognized form of
16 size reduction, including, without limitation, microfiche, computer
17 disc, magnetic tape and optical disc, which does not adversely affect
18 their use for the purposes of NRS 629.061. Health care records
19 ~~may~~:

20 *(a) Must, except as otherwise provided in subsections 5 and 6*
21 *of NRS 439.589, be created, maintained, transmitted and*
22 *exchanged electronically as required by subsection 4 of NRS*
23 *439.589; and*

24 *(b) May* be created, authenticated and stored in a ~~computer~~
25 ~~system~~ *health information exchange* which meets the
26 requirements of NRS 439.581 to 439.595, inclusive, *and section 1*
27 *of this act*, and the regulations adopted pursuant thereto.

28 2. A provider of health care shall post, in a conspicuous place
29 in each location at which the provider of health care performs health
30 care services, a sign which discloses to patients that their health care
31 records may be destroyed after the period set forth in subsection 1.

32 3. When a provider of health care performs health care services
33 for a patient for the first time, the provider of health care shall
34 deliver to the patient a written statement which discloses to the
35 patient that the health care records of the patient may be destroyed
36 after the period set forth in subsection 1.

37 4. If a provider of health care fails to deliver the written
38 statement to the patient pursuant to subsection 3, the provider of
39 health care shall deliver to the patient the written statement
40 described in subsection 3 when the provider of health care next
41 performs health care services for the patient.

42 5. In addition to delivering a written statement pursuant to
43 subsection 3 or 4, a provider of health care may deliver such a
44 written statement to a patient at any other time.



1 6. A written statement delivered to a patient pursuant to this
2 section may be included with other written information delivered to
3 the patient by a provider of health care.

4 7. A custodian of health care records shall not destroy the
5 health care records of a person who is less than 23 years of age on
6 the date of the proposed destruction of the records. The health care
7 records of a person who has attained the age of 23 years may be
8 destroyed in accordance with this section for those records which
9 have been retained for at least 5 years or for any longer period
10 provided by federal law.

11 8. *If a health care licensing board receives notification from*
12 *the Department of Health and Human Services pursuant to*
13 *section 1 of this act that:*

14 (a) *A provider of health care to which the health care licensing*
15 *board has issued a license is not in compliance with the*
16 *requirements of subsection 4 of NRS 439.589, the health care*
17 *licensing board shall immediately suspend the license until the*
18 *license is reinstated pursuant to paragraph (b).*

19 (b) *A provider of health care whose license has been*
20 *suspended pursuant to paragraph (a) has come into compliance*
21 *with the requirements of subsection 4 of NRS 439.589, the*
22 *Division shall immediately reinstate the license.*

23 9. The provisions of this section, *except for the provisions of*
24 *paragraph (a) of subsection 1 and subsection 8*, do not apply to a
25 pharmacist.

26 ~~9.1~~ 10. The State Board of Health shall adopt:

27 (a) Regulations prescribing the form, size, contents and
28 placement of the signs and written statements required pursuant to
29 this section; and

30 (b) Any other regulations necessary to carry out the provisions
31 of this section.

32 11. *As used in this section:*

33 (a) *“Health care licensing board” means:*

34 (1) *A board created pursuant to chapter 630, 630A, 631,*
35 *632, 633, 634, 634A, 635, 636, 637, 637B, 639, 640, 640A, 640B,*
36 *640C, 641, 641A, 641B, 641C or 641D of NRS.*

37 (2) *The Division of Public and Behavioral Health of the*
38 *Department of Health and Human Services.*

39 (3) *The State Board of Health with respect to licenses*
40 *issued pursuant to chapter 640D or 640E of NRS.*

41 (b) *“License” has the meaning ascribed to it in section 1 of*
42 *this act.*

43 **Sec. 46.** NRS 654.190 is hereby amended to read as follows:

44 654.190 1. The Board may, after notice and an opportunity
45 for a hearing as required by law, impose an administrative fine of



1 not more than \$10,000 for each violation on, recover reasonable
2 investigative fees and costs incurred from, suspend, revoke, deny
3 the issuance or renewal of or place conditions on the license of, and
4 place on probation or impose any combination of the foregoing on
5 any licensee who:

6 (a) Is convicted of a felony relating to the practice of
7 administering a nursing facility or residential facility or of any
8 offense involving moral turpitude.

9 (b) Has obtained his or her license by the use of fraud or deceit.

10 (c) Violates any of the provisions of this chapter.

11 (d) Aids or abets any person in the violation of any of the
12 provisions of NRS 449.029 to 449.2428, inclusive, *and section 9 of*
13 *this act*, as those provisions pertain to a facility for skilled nursing,
14 facility for intermediate care or residential facility for groups.

15 (e) Violates any regulation of the Board prescribing additional
16 standards of conduct for licensees, including, without limitation, a
17 code of ethics.

18 (f) Engages in conduct that violates the trust of a patient or
19 resident or exploits the relationship between the licensee and the
20 patient or resident for the financial or other gain of the licensee.

21 2. If a licensee requests a hearing pursuant to subsection 1, the
22 Board shall give the licensee written notice of a hearing pursuant to
23 NRS 233B.121 and 241.034. A licensee may waive, in writing, his
24 or her right to attend the hearing.

25 3. The Board may compel the attendance of witnesses or the
26 production of documents or objects by subpoena. The Board may
27 adopt regulations that set forth a procedure pursuant to which the
28 Chair of the Board may issue subpoenas on behalf of the Board.
29 Any person who is subpoenaed pursuant to this subsection may
30 request the Board to modify the terms of the subpoena or grant
31 additional time for compliance.

32 4. An order that imposes discipline and the findings of fact and
33 conclusions of law supporting that order are public records.

34 5. The expiration of a license by operation of law or by order
35 or decision of the Board or a court, or the voluntary surrender of a
36 license, does not deprive the Board of jurisdiction to proceed with
37 any investigation of, or action or disciplinary proceeding against, the
38 licensee or to render a decision suspending or revoking the license.

39 **Sec. 47.** Chapter 680A of NRS is hereby amended by adding
40 thereto a new section to read as follows:

41 *If the Commissioner receives notification from the Department*
42 *of Health and Human Services pursuant to section 1 of this act*
43 *that:*

44 *1. An insurer is not in compliance with the requirements of*
45 *subsection 4 of NRS 439.589, the Commissioner shall immediately*



1 *suspend the insurer's certificate of authority until the certificate of*
2 *authority is reinstated pursuant to subsection 2.*

3 2. *An insurer whose certificate of authority has been*
4 *suspended pursuant to subsection 1 has come into compliance*
5 *with the requirements of subsection 4 of NRS 439.589, the*
6 *Commissioner shall immediately reinstate the certificate of*
7 *authority.*

8 **Sec. 48.** NRS 680A.095 is hereby amended to read as follows:

9 680A.095 1. Except as otherwise provided in subsection 3,
10 an insurer which is not authorized to transact insurance in this State
11 may not transact reinsurance with a domestic insurer in this State,
12 by mail or otherwise, unless the insurer holds a certificate of
13 authority as a reinsurer in accordance with the provisions of NRS
14 680A.010 to 680A.150, inclusive, 680A.160 to 680A.280, inclusive,
15 *and section 47 of this act*, 680A.320 and 680A.330.

16 2. To qualify for authority only to transact reinsurance, an
17 insurer must meet the same requirements for capital and surplus as
18 are imposed on an insurer which is authorized to transact insurance
19 in this State.

20 3. This section does not apply to the joint reinsurance of title
21 insurance risks or to reciprocal insurance authorized pursuant to
22 chapter 694B of NRS.

23 **Sec. 49.** NRS 680A.220 is hereby amended to read as follows:

24 680A.220 1. ~~Suspension~~ *Except as otherwise provided in*
25 *section 47 of this act, suspension* of an insurer's certificate of
26 authority must be for such period as the Commissioner specifies in
27 the order of suspension, but not to exceed 1 year. During the
28 suspension period the Commissioner may rescind or shorten the
29 suspension by further order.

30 2. During the suspension period the insurer shall not solicit or
31 write any new business in this state, but must file its annual
32 statement, pay fees, licenses and taxes as required under this Code,
33 and may service its business already in force in this state, as if the
34 certificate of authority had continued in full force.

35 3. Upon expiration of the suspension period, if within such
36 period the certificate of authority has not terminated, the insurer's
37 certificate of authority is automatically reinstated unless the
38 Commissioner finds that the causes of the suspension, being other
39 than a past event, are continuing, or that the insurer is otherwise not
40 in compliance with the requirements of this Code, and of which the
41 Commissioner shall give the insurer notice not less than 30 days in
42 advance of expiration of the suspension period.

43 4. Upon reinstatement of the insurer's certificate of authority,
44 the authority of its agents in this state to represent the insurer is also
45 reinstated. The Commissioner shall promptly notify the insurer and



1 its agents in this state, of record in the Division, of such
2 reinstatement.

3 **Sec. 50.** Chapter 683A of NRS is hereby amended by adding
4 thereto a new section to read as follows:

5 *If the Commissioner receives notification from the Department*
6 *of Health and Human Services pursuant to section 1 of this act*
7 *that:*

8 *1. An administrator is not in compliance with the*
9 *requirements of subsection 4 of NRS 439.589, the Commissioner*
10 *shall immediately suspend the registration of the administrator*
11 *until the registration is reinstated pursuant to subsection 2.*

12 *2. An administrator whose registration has been suspended*
13 *pursuant to subsection 1 has come into compliance with the*
14 *requirements of subsection 4 of NRS 439.589, the Commissioner*
15 *shall immediately reinstate the registration.*

16 **Sec. 51.** NRS 683A.3683 is hereby amended to read as
17 follows:

18 683A.3683 A producer of limited lines travel insurance and
19 each travel retailer, or employee or authorized representative of a
20 travel retailer, who offers or disseminates travel insurance under the
21 license of a producer of limited lines travel insurance shall be
22 subject to the provisions of NRS 683A.451 to 683A.520, inclusive,
23 *and section 50 of this act* and chapter 686A of NRS.

24 **Sec. 52.** NRS 692A.270 is hereby amended to read as follows:

25 692A.270 The provisions of NRS 683A.321, 683A.331,
26 683A.341, 683A.400, 683A.451 to 683A.490, inclusive, *and section*
27 *50 of this act* and 683A.520 apply to title insurers, title agents and
28 escrow officers.

29 **Sec. 53.** Chapter 695C of NRS is hereby amended by adding
30 thereto a new section to read as follows:

31 *If the Commissioner receives notification from the Department*
32 *of Health and Human Services pursuant to section 1 of this act*
33 *that:*

34 *1. A health maintenance organization is not in compliance*
35 *with the requirements of subsection 4 of NRS 439.589, the*
36 *Commissioner shall immediately suspend the health maintenance*
37 *organization's certificate of authority until the certificate of*
38 *authority is reinstated pursuant to subsection 2.*

39 *2. A health maintenance organization whose certificate of*
40 *authority has been suspended pursuant to subsection 1 has come*
41 *into compliance with the requirements of subsection 4 of NRS*
42 *439.589, the Commissioner shall immediately reinstate the*
43 *certificate of authority.*



1 **Sec. 54.** NRS 695C.330 is hereby amended to read as follows:
2 695C.330 1. The Commissioner may suspend or revoke any
3 certificate of authority issued to a health maintenance organization
4 pursuant to the provisions of this chapter if the Commissioner finds
5 that any of the following conditions exist:

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

13 (b) The health maintenance organization issues evidence of
14 coverage or uses a schedule of charges for health care services
15 which do not comply with the requirements of NRS 695C.1691 to
16 695C.200, inclusive, or 695C.207;

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

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

21 (1) Does not meet the requirements of subsection 1 of NRS
22 695C.080; or

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

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

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

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

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

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

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

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



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

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

5 2. ~~FA~~ *Except as otherwise provided in section 53 of this act, a*
6 certificate of authority must be suspended or revoked only after
7 compliance with the requirements of NRS 695C.340.

8 3. If the certificate of authority of a health maintenance
9 organization is suspended, the health maintenance organization shall
10 not, during the period of that suspension, enroll any additional
11 groups or new individual contracts, unless those groups or persons
12 were contracted for before the date of suspension.

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

24 **Sec. 55.** NRS 719.200 is hereby amended to read as follows:

25 719.200 1. Except as otherwise provided in subsection 2, the
26 provisions of this chapter apply to electronic records and electronic
27 signatures relating to a transaction.

28 2. The provisions of this chapter do not apply to a transaction
29 to the extent it is governed by:

30 (a) Except as otherwise specifically provided by law, a law
31 governing the creation and execution of wills, codicils or
32 testamentary trusts;

33 (b) The Uniform Commercial Code other than NRS 104.1306,
34 104.2101 to 104.2725, inclusive, and 104A.2101 to 104A.2532,
35 inclusive; or

36 (c) The provisions of NRS 439.581 to 439.595, inclusive, *and*
37 *section 1 of this act* and the regulations adopted pursuant thereto.

38 3. The provisions of this chapter apply to an electronic record
39 or electronic signature otherwise excluded from the application of
40 this chapter under subsection 2 to the extent it is governed by a law
41 other than those specified in subsection 2.

42 4. A transaction subject to the provisions of this chapter is also
43 subject to other applicable substantive law.



1 **Sec. 56.** NRS 720.140 is hereby amended to read as follows:

2 720.140 1. Except as otherwise provided in this subsection,
3 the provisions of this chapter apply to any transaction for which a
4 digital signature is used to sign an electronic record. The provisions
5 of this chapter do not apply to a digital signature that is used to sign
6 an electronic health record in accordance with NRS 439.581 to
7 439.595, inclusive, *and section 1 of this act* and the regulations
8 adopted pursuant thereto.

9 2. As used in this section, “electronic record” has the meaning
10 ascribed to it in NRS 719.090.

11 **Sec. 57.** 1. There is hereby appropriated from the State
12 General Fund to the Department of Health and Human Services the
13 sum of \$3,000,000 for the purpose of awarding grants to providers
14 of health care and facilities licensed pursuant to chapter 449 of NRS
15 for the purposes of complying with the requirements of subsection 4
16 of NRS 439.589, as amended by section 6 of this act, and paragraph
17 (a) of subsection 1 of NRS 629.051, as amended by section 45 of
18 this act. To receive such a grant, a provider of health care or facility
19 must:

20 (a) Have a staff of less than 50 persons or work for an entity that
21 has a staff of less than 50 persons, as applicable; or

22 (b) Be located in a county whose population is less than
23 100,000, a health professional shortage area or an area with a
24 medically underserved population in this State, or work in such a
25 county or area, as applicable.

26 2. Any remaining balance of the appropriation made by
27 subsection 1 must not be committed for expenditure after June 30,
28 2025, by the entity to which the appropriation is made or any entity
29 to which money from the appropriation is granted or otherwise
30 transferred in any manner, and any portion of the appropriated
31 money remaining must not be spent for any purpose after
32 September 19, 2025, by either the entity to which the money was
33 appropriated or the entity to which the money was subsequently
34 granted or transferred, and must be reverted to the State General
35 Fund on or before September 19, 2025.

36 3. As used in this section:

37 (a) “Area with a medically underserved population” means an
38 area designated as such by the United States Secretary of Health and
39 Human Services pursuant to 42 U.S.C. § 254c; and

40 (b) “Health professional shortage area” means a geographic area
41 designated as such by the United States Secretary of Health and
42 Human Services pursuant to 42 U.S.C. § 254e; and

43 (c) “Provider of health care” has the meaning ascribe to it in
44 NRS 629.031.



1 **Sec. 58.** 1. During the 2023-2024 interim, the Joint Interim
2 Standing Committee on Health and Human Services shall study:

3 (a) The feasibility of including in the State Plan for Medicaid
4 coverage of digital health products, including, without limitation:

5 (1) Remote patient monitoring;

6 (2) Health products that use artificial intelligence;

7 (3) Digital therapeutics; and

8 (4) Health information technology;

9 (b) Procedures for providing the coverage described in
10 paragraph (a), including, without limitation, procedures and criteria
11 for determining whether a digital health product is suitable for
12 coverage;

13 (c) Any waivers of federal law necessary to obtain federal
14 financial participation in the provision of the coverage described in
15 paragraph (a); and

16 (d) The estimated potential costs of providing the coverage
17 described in paragraph (a).

18 2. On or before February 1, 2025, the Joint Interim Standing
19 Committee on Health and Human Services shall submit a report of
20 its findings and any recommendations for legislation to the Director
21 of the Legislative Counsel Bureau for transmittal to the 83rd Session
22 of the Legislature.

23 3. As used in this section, “digital therapeutic” means a
24 product, device, Internet application or other technology that uses
25 software primarily to prevent, manage or treat a medical condition,
26 disease or disorder.

27 **Sec. 59.** 1. During the 2023-2024 Interim, the Department of
28 Health and Human Services shall:

29 (a) Evaluate the workforce of the Department, including,
30 without limitation, each division thereof, and determine, for each
31 position, whether adding, eliminating, reclassifying or revising the
32 salary for any position within the Department would increase the
33 effectiveness or efficiency of the operations of the Department and
34 its divisions; and

35 (b) Take any action recommended by the evaluation conducted
36 pursuant to paragraph (a) that does not require legislation unless the
37 Director of the Department determines that such action is not
38 feasible or advisable.

39 2. On or before February 1, 2025, the Department of Health
40 and Human Services shall submit to the Director of the Legislative
41 Counsel Bureau for transmittal to the 83rd Session of the
42 Legislature a report of:

43 (a) The results of the evaluation conducted pursuant to
44 paragraph (a) of subsection 1;

45 (b) Any action taken pursuant to paragraph (b) of subsection 1;



1 (c) Any action recommended by the evaluation conducted
2 pursuant to paragraph (a) of subsection 1 which requires legislation
3 and the legislation that would be required to carry out the
4 recommendation; and

5 (d) Any action recommended by the evaluation conducted
6 pursuant to paragraph (a) of subsection 1 which the Director of the
7 Department determined pursuant to paragraph (b) of subsection 1 to
8 be infeasible or inadvisable, and the reasons for that determination.

9 **Sec. 60.** 1. On or before July 1, 2023, the Director of the
10 Department shall convene an advisory group to advise the Director
11 of the Department in the adoption of regulations pursuant to NRS
12 439.589, as amended by section 6 of this act. The advisory group
13 shall consist of:

14 (a) The following ex officio members:

15 (1) The Director of the Department;

16 (2) The Administrator of the Division of Public and
17 Behavioral Health of the Department;

18 (3) The Administrator of the Division of Health Care
19 Financing and Policy of the Department;

20 (4) The Administrator of the Division of Welfare and
21 Supportive Services of the Department;

22 (5) The Commissioner of Insurance;

23 (6) Each district health officer appointed pursuant to NRS
24 439.368 or 439.400;

25 (7) The Executive Officer of the Public Employees' Benefits
26 Program; and

27 (8) The Executive Director of the Silver State Health
28 Insurance Exchange; and

29 (b) The following members appointed by the Director:

30 (1) Representatives of third parties, as defined in NRS
31 439.589, as amended by section 6 of this act, that provide health
32 coverage in this State;

33 (2) Representatives of hospitals, as defined in NRS 449.012,
34 other medical facilities, as defined in NRS 449.0151, and facilities
35 for the dependent, as defined in NRS 449.0045;

36 (3) Representatives of consumers of health care;

37 (4) Representatives of labor organizations;

38 (5) Professionals in the field of information privacy and
39 security;

40 (6) Professionals in the field of health information
41 technology;

42 (7) Representatives of community-based organizations
43 whose work relates to health information;

44 (8) Representatives of county and city health departments;

45 (9) Representatives of social services agencies; and



1 (10) Representatives of community-based organizations
2 whose work relates to social services.

3 2. Members appointed to the advisory group pursuant to
4 paragraph (b) of subsection 1 serve at the pleasure of the Director of
5 the Department. If a vacancy occurs, the Director shall appoint a
6 person similarly qualified to replace that member.

7 3. Members of the advisory group serve without compensation
8 or per diem but are entitled to receive reimbursement for travel
9 expenses in the same amount provided for state officers and
10 employees generally.

11 4. The Director of the Department shall serve as the Chair of
12 the advisory group.

13 5. A majority of the voting members of the advisory group
14 constitutes a quorum for the transaction of business, and a majority
15 of the members of a quorum present at any meeting is sufficient for
16 any official action taken by the advisory group.

17 6. Each member of the advisory group who is an officer or
18 employee of this State or a political subdivision of this State must be
19 relieved from his or her duties without loss of regular compensation
20 so that the officer or employee may prepare for and attend meetings
21 of the advisory group and perform any work necessary to carry out
22 the duties of the advisory group in the most timely manner
23 practicable. A state agency or political subdivision of this State shall
24 not require an officer or employee who is a member of the advisory
25 group to make up the time the officer or employee is absent from
26 work to carry out duties as a member of the advisory group or use
27 annual leave or compensatory time for the absence.

28 7. The advisory group may establish subcommittees and
29 working groups consisting of members of the advisory group or
30 other persons to assist the advisory group in the performance of its
31 duties.

32 8. The advisory group shall advise the Department on the
33 development and implementation of the regulations adopted
34 pursuant to NRS 439.589, as amended by section 6 of this act.

35 9. The Department shall:

36 (a) On or before August 1, 2024, present at a meeting of the
37 Joint Interim Standing Committee on Health and Human Services
38 concerning the progress of the Department in developing and
39 implementing the regulations adopted pursuant to NRS 439.589, as
40 amended by section 6 of this act; and

41 (b) On or before December 31, 2024, submit to the Director of
42 the Legislative Counsel Bureau for transmittal to the 83rd Regular
43 Session of the Legislature a report concerning the progress of the
44 Department in developing and implementing the regulations adopted
45 pursuant to NRS 439.589, as amended by section 6 of this act.



1 10. As used in this section, "Department" means the
2 Department of Health and Human Services.

3 **Sec. 61.** 1. On or before April 1, 2024, the Chief Data
4 Officer of the Hub shall:

5 (a) Compile a report concerning:

6 (1) Policies and practices to ensure the privacy, security,
7 quality and confidentiality of the information collected, analyzed
8 and maintained by the Hub, including, without limitation, policies
9 and practices to protect personally identifiable information and other
10 sensitive information;

11 (2) Organizational structures, policies and practices for:

12 (I) Making information collected, analyzed and
13 maintained by the Hub available to state agencies, political
14 subdivisions of this State, educational institutions, researchers,
15 nongovernmental organizations and the general public; and

16 (II) Ensuring ongoing and continuous communication
17 between the Hub and governmental and nongovernmental users of
18 information collected, analyzed and maintained by the Hub; and

19 (3) Policies and procedures to ensure that information
20 collected, analyzed and maintained by the Hub is relevant and
21 readily available to educational institutions, researchers,
22 nongovernmental organizations and the general public.

23 (b) Submit the report to the Director of the Legislative Counsel
24 Bureau for transmittal to the Joint Interim Standing Committee on
25 Health and Human Services.

26 2. The Chief Data Officer of the Hub appointed pursuant to
27 section 23 of this act shall appoint and serve as the Chair of an
28 advisory group to assist in developing the report described in
29 subsection 1. The advisory group must consist of:

30 (a) The Director of the Department of Health and Human
31 Services;

32 (b) The Chief Data Officer of the Hub;

33 (c) At least two representatives of nonprofit entities engaged in
34 research relating to public health, the provision of health care, social
35 determinants of health or similar topics; and

36 (d) At least two representatives of organizations that, in the
37 regular course of business, use information relating to public health,
38 the provision of health care, social determinants of health or similar
39 topics.

40 3. Members of the advisory group appointed pursuant to
41 subsection 2 serve without compensation and are not entitled to the
42 per diem and travel expenses provided for state officers and
43 employees generally.

44 4. A member of the advisory group appointed pursuant to
45 subsection 2 who is an officer or employee of this State or a political



1 subdivision of this State must be relieved from his or her duties
2 without loss of regular compensation so that the person may prepare
3 for and attend meetings of the advisory group and perform any work
4 necessary to carry out the duties of the advisory group in the most
5 timely manner practicable. A state agency or political subdivision of
6 this State shall not require an officer or employee who is a member
7 of the advisory group to make up the time he or she is absent from
8 work to carry out his or her duties as a member of the advisory
9 group or use annual vacation or compensatory time for the absence.

10 5. As used in this section, “Hub” means the Nevada Innovation
11 Hub established by section 23 of this act.

12 **Sec. 62.** 1. Notwithstanding the provisions of subsection 2 of
13 NRS 439.587, as that section exists on the effective date of this
14 section, the Director of the Department of Health and Human
15 Services shall not enter into a contract pursuant to that subsection
16 with a health information exchange to serve as the statewide health
17 information exchange on or after the effective date of this section.

18 2. Notwithstanding the amendatory provisions of section 4 of
19 this act, if the Director of the Department of Health and Human
20 Services has contracted with a health information exchange to serve
21 as the statewide health information exchange pursuant to subsection
22 2 of NRS 439.587, as that section exists on the effective date of this
23 section, and that contract is effective on July 1, 2024, the contract
24 remains valid until the expiration of the contract but may not be
25 renewed.

26 3. As used in this section, “health information exchange” has
27 the meaning ascribed to it in NRS 439.584.

28 **Sec. 63.** 1. Notwithstanding the amendatory provisions of
29 sections 1, 6, 9 and 45 of this act, persons and entities subject to the
30 provisions of subsection 4 of NRS 439.589, as amended by section
31 6 of this act, other than hospitals and physician group practices, are
32 not required to comply with those provisions until July 1, 2025.

33 2. As used in this section:

34 (a) “Hospital” has the meaning ascribed to it in NRS 449.012.

35 (b) “Physician group practice” means any business entity
36 organized for the purpose of the practice of medicine or osteopathic
37 medicine by more than one physician.

38 **Sec. 64.** The provisions of subsection 1 of NRS 218D.380 do
39 not apply to any provision of this act which adds or revises a
40 requirement to submit a report to the Legislature.

41 **Sec. 65.** The provisions of NRS 354.599 do not apply to any
42 additional expenses of a local government that are related to the
43 provisions of this act.

44 **Sec. 66.** The Legislature hereby finds that each abatement
45 provided by this act from any ad valorem tax on property or excise



1 tax on the sale, storage, use or other consumption of tangible
2 personal property sold at retail:

3 1. Will achieve a bona fide social or economic purpose and the
4 benefits of the abatement are expected to exceed any adverse effect
5 of the abatement on the provision of services to the public by the
6 State or a local government that would otherwise receive revenue
7 from the tax from which the abatement would be granted; and

8 2. Will not impair adversely the ability of the State or a local
9 government to pay, when due, all interest and principal on any
10 outstanding bonds or any other obligations for which revenue from
11 the tax from which the abatement would be granted was pledged.

12 **Sec. 67.** 1. This section and sections 7, 8 and 62 of this act
13 become effective upon passage and approval.

14 2. Sections 18, 19, 20, 30 to 38, inclusive, 40, 41, 42, 57 to 60,
15 inclusive, 64 and 66 of this act become effective on July 1, 2023.

16 3. Sections 21 to 27, inclusive, 39, 43 and 61 of this act
17 become effective:

18 (a) Upon passage and approval for the purpose of adopting any
19 regulations and performing any other preparatory administrative
20 tasks that are necessary to carry out the provisions of this act; and

21 (b) On January 1, 2024, for all other purposes.

22 4. Sections 1 to 6, inclusive, 9 to 16, inclusive, 44, 45, 46, 55,
23 56 and 63 of this act become effective:

24 (a) Upon passage and approval for the purpose of adopting any
25 regulations and performing any other preparatory administrative
26 tasks that are necessary to carry out the provisions of this act; and

27 (b) On July 1, 2024, for all other purposes.

28 5. Sections 17, 28, 29, 47 to 54, inclusive, and 65 of this act
29 become effective:

30 (a) Upon passage and approval for the purpose of adopting any
31 regulations and performing any other preparatory administrative
32 tasks that are necessary to carry out the provisions of this act; and

33 (b) On July 1, 2025, for all other purposes.

34 6. Sections 31 to 38, inclusive, of this act expire on July 1,
35 2053.

36 7. Section 60 of this act expires by limitation on January 1,
37 2025.

