

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; authorizing the imposition of certain discipline against 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; requiring the establishment of certain programs to make health coverage more accessible to certain persons; requiring the Joint Interim Standing Committee on Health and Human Services to conduct certain studies; 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 to notify any regulatory body that has issued a license, certificate,
26 registration, permit or similar credential to a health care provider, insurer,
27 pharmacy benefit manager or other insurance administrator if the holder of the
28 credential fails to comply with that requirement. After receiving such notice,
29 **sections 9, 17, 45, 47, 50 and 53** of this bill authorize a regulatory body to impose
30 corrective action or an administrative penalty on the health care provider, insurer,
31 pharmacy benefit manager or other insurance administrator. **Section 1** requires the
32 Department to notify the relevant regulatory body if a health care provider, insurer,
33 pharmacy benefit manager or other insurance administrator that was previously out
34 of compliance with the requirement to maintain, transmit and exchange health
35 information electronically comes into compliance with that requirement. **Section 4**
36 of this bill removes duplicative requirements concerning the adoption of regulations
37 governing electronic health records. **Section 4.5** of this bill removes authorization
38 for the Director to establish a statewide health information exchange, beginning on
39 July 1, 2025. **Sections 2-4, 5, 8, 10-14, 16, 44, 46, 48, 51, 52, 55 and 56** of this bill
40 make conforming changes to indicate the proper placement of **sections 1, 9, 47 and**
41 **50** in the Nevada Revised Statutes.

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



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

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

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

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

102 With certain exceptions, existing federal and state law prohibits a person or
103 governmental entity from providing a public benefit to an alien who is not legally
104 present in the United States, except where a state law affirmatively provides for
105 such eligibility. (8 U.S.C. § 1621; NRS 422.065, 422A.085) **Section 39** of this bill
106 requires the Director to provide coverage under Medicaid for persons who qualify
107 for the federal Deferred Action for Childhood Arrivals Program and meet all
108 requirements to be eligible for Medicaid, except for the requirements governing



109 immigration status. **Section 39** also requires the Director to establish programs to
110 provide coverage for: (1) persons under 27 years of age who are not eligible for
111 Medicaid because of their immigration status; and (2) prenatal, labor and delivery
112 and postpartum care for mothers who are not eligible for Medicaid because of their
113 immigration status. **Section 43** of this bill removes the requirement that a person
114 who is not a citizen or national of the United States must be a qualified alien under
115 federal law to receive Medicaid. **Section 26** of this bill makes a conforming change
116 to indicate the proper placement 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 Existing law establishes the Silver State Health Insurance Exchange to facilitate
128 the purchase of subsidized health plans by certain small employers and natural
129 persons who are citizens of the United States or otherwise lawfully present in the
130 United States. (Chapter 695I of NRS) **Section 54.3** of this bill requires Executive
131 Director of the Exchange, in collaboration with the Director of the Department of
132 Health and Human Services, to apply for a federal waiver to authorize any natural
133 person to purchase a qualified health plan on the Exchange, regardless of his or her
134 immigration status, if the natural person otherwise qualifies to purchase such a plan
135 on the Exchange. **Section 54.6** of this bill makes a conforming change to indicate
136 that the waiver authorizes natural persons who are not lawfully present in the
137 United States to purchase such qualified health plans.

138 **Section 58** of this bill requires the Joint Interim Standing Committee on Health
139 and Human Services to study, during the 2023-2024 interim, the feasibility of
140 including in the State Plan for Medicaid coverage of digital health products and the
141 procedures for and costs of providing such coverage. **Section 58.5** of this bill
142 requires the Joint Interim Standing Committee to study, during the 2023-2024
143 interim: (1) the feasibility of and necessary steps for creating a natural persons
144 index for this State; and (2) procedures governing data registries and ways to
145 streamline the collection of data and reduce the burden of reporting requirements
146 applicable to providers of health care. **Section 59** of this bill requires the
147 Department of Health and Human Services, during the 2023-2024 interim, to: (1)
148 evaluate the workforce of the Department to determine whether adding, eliminating
149 or revising the salary for any position within the Department would increase the
150 effectiveness or efficiency of the operations of the Department; and (2) take any
151 action recommended by the evaluation which does not require legislation unless the
152 Director determines that the action is not feasible or advisable. **Section 59** also
153 requires the Department to submit to the Legislature a report concerning the
154 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, notify each regulatory body of this*
4 *State that has issued a current, valid license to a licensed provider*
5 *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 licensed provider or*
15 *insurer for which notice was previously provided pursuant to*
16 *subsection 1 has come into compliance with the requirements of*
17 *subsection 4 of NRS 439.589, the Department shall immediately*
18 *notify the regulatory body that issued the license.*

19 3. *As used in this section:*

20 (a) *“License” means any license, certificate, registration,*
21 *permit or similar type of authorization to practice an occupation*
22 *or profession or engage in a business in this State issued to a*
23 *licensed provider or insurer.*

24 (b) *“Licensed provider or insurer” means:*

25 (1) *A medical facility licensed pursuant to chapter 449 of*
26 *NRS;*

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

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

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

33 (c) *“Regulatory body” means any governmental entity that*
34 *issues a license.*

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

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



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

4 (a) State Board of Health or violates any rule or regulation
5 approved by the State Board of Health pursuant to NRS 439.350,
6 439.366, 439.410 and 439.460; or

7 (b) Director adopted pursuant to NRS 439.538 or 439.581 to
8 439.595, inclusive, *and section 1 of this act,*

9 ~~↪~~ is guilty of a misdemeanor.

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

11 439.581 As used in NRS 439.581 to 439.595, inclusive, *and*
12 *section 1 of this act,* unless the context otherwise requires, the
13 words and terms defined in NRS 439.582 to 439.585, inclusive,
14 have the meanings ascribed to them in those sections.

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

16 439.587 1. The Director is the state authority for health
17 information technology. ~~[The Director shall:~~

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

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

26 ~~—(c) Prescribe by regulation standards for the electronic~~
27 ~~transmittal of electronic health records, prescriptions, health related~~
28 ~~information, electronic signatures and requirements for electronic~~
29 ~~equivalents of written entries or written approvals in accordance~~
30 ~~with federal law;~~

31 ~~—(d) Prescribe by regulation rules governing the ownership,~~
32 ~~management and use of electronic health records, health related~~
33 ~~information and related data retained or shared by a health~~
34 ~~information exchange; and~~

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

39 2. The Director may establish or contract with not more than
40 one health information exchange to serve as the statewide health
41 information exchange to be responsible for compiling statewide
42 master indexes of patients, health care providers and payers. The
43 Director may by regulation prescribe the requirements for a
44 statewide health information exchange, including, without
45 limitation, the procedure by which any patient, health care provider



1 or payer master index created pursuant to any contract is transferred
2 to the State upon termination of the contract.

3 3. The Director may enter into contracts, apply for and accept
4 available gifts, grants and donations, and adopt such regulations as
5 are necessary to carry out the provisions of NRS 439.581 to
6 439.595, inclusive ~~[-]~~, *and section 1 of this act.*

7 **Sec. 4.5.** NRS 439.587 is hereby amended to read as follows:

8 439.587 1. The Director is the state authority for health
9 information technology.

10 2. ~~[The Director may establish or contract with not more than
11 one health information exchange to serve as the statewide health
12 information exchange to be responsible for compiling statewide
13 master indexes of patients, health care providers and payers. The
14 Director may by regulation prescribe the requirements for a
15 statewide health information exchange, including, without
16 limitation, the procedure by which any patient, health care provider
17 or payer master index created pursuant to any contract is transferred
18 to the State upon termination of the contract.~~

19 ~~—3.]~~ The Director may enter into contracts, apply for and accept
20 available gifts, grants and donations, and adopt such regulations as
21 are necessary to carry out the provisions of NRS 439.581 to
22 439.595, inclusive, and section 1 of this act.

23 **Sec. 5.** NRS 439.588 is hereby amended to read as follows:

24 439.588 1. A health information exchange shall not operate
25 in this State without first obtaining certification as provided in
26 subsection 2.

27 2. The Director shall by regulation establish the manner in
28 which a health information exchange may apply for certification and
29 the requirements for granting such certification, which must include,
30 without limitation, that the health information exchange demonstrate
31 its financial and operational sustainability, adherence to the privacy,
32 security and patient consent standards adopted pursuant to NRS
33 439.589 and capacity for interoperability with any other health
34 information exchange certified pursuant to this section.

35 3. The Director may deny an application for certification or
36 may suspend or revoke any certification issued pursuant to
37 subsection 2 for failure to comply with the provisions of NRS
38 439.581 to 439.595, inclusive, *and section 1 of this act* or the
39 regulations adopted pursuant thereto or any applicable federal or
40 state law.

41 4. When the Director intends to deny, suspend or revoke a
42 certification, he or she shall give reasonable notice to all parties by
43 certified mail. The notice must contain the legal authority,
44 jurisdiction and reasons for the action to be taken. A health



1 information exchange that wishes to contest the action of the
2 Director must file an appeal with the Director.

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

6 6. The Director may impose an administrative fine against a
7 health information exchange which operates in this State without
8 holding a certification in an amount established by the Director by
9 regulation. The Director shall afford a health information exchange
10 so fined an opportunity for a hearing pursuant to the provisions of
11 NRS 233B.121.

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

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

15 439.589 1. The Director, *in consultation with health care*
16 *providers, third parties and other interested persons and entities,*
17 *shall by regulation prescribe a framework for the electronic*
18 *maintenance, transmittal and exchange of electronic health*
19 *records, prescriptions, health-related information and electronic*
20 *signatures and requirements for electronic equivalents of written*
21 *entries or written approvals in accordance with federal law. The*
22 *regulations must:*

23 (a) *Establish standards* ~~[-~~

24 ~~-(a)]~~ *for networks and technologies to be used to maintain,*
25 *transmit and exchange health information, including, without*
26 *limitation, standards:*

27 (1) *That require:*

28 (I) *The use of networks and technologies that allow*
29 *patients to access electronic health records directly from the*
30 *health care provider of the patient and forward such electronic*
31 *health records electronically to other persons and entities; and*

32 (II) *The interoperability of such networks and*
33 *technologies in accordance with the applicable standards for the*
34 *interoperability of Qualified Health Information Networks*
35 *prescribed by the Office of the National Coordinator for Health*
36 *Information Technology of the United States Department of*
37 *Health and Human Services;*

38 (2) *To ensure that electronic health records retained or shared*
39 ~~*by any health information exchange*~~ *are secure;*

40 ~~[(b)]~~ (3) *To maintain the confidentiality of electronic health*
41 *records and health-related information, including, without*
42 *limitation, standards to maintain the confidentiality of electronic*
43 *health records relating to a child who has received health care*
44 *services without the consent of a parent or guardian and which*



1 ensure that a child's right to access such health care services is not
2 impaired;

3 ~~[(e)]~~ (4) To ensure the privacy of individually identifiable
4 health information, including, without limitation, standards to
5 ensure the privacy of information relating to a child who has
6 received health care services without the consent of a parent or
7 guardian;

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

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

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

19 (8) *Governing the ownership, management and use of*
20 *electronic health records, health-related information and related*
21 *data; and*

22 (9) *For the electronic transmission of prior authorizations*
23 *for prescription medication;*

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

30 (c) *Be based on nationally recognized best practices for*
31 *maintaining, transmitting and exchanging health information*
32 *electronically.*

33 2. The standards prescribed pursuant to this section must
34 include, without limitation:

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

37 (b) Requirements for protecting confidentiality, including
38 control over, access to and the collection, organization and
39 maintenance of electronic health records, health-related information
40 and individually identifiable health information;

41 (c) Requirements for the manner in which a patient may,
42 through a health care provider who participates in the sharing of
43 health records using a health information exchange, revoke his or
44 her consent for a health care provider to retrieve the patient's health
45 records from the health information exchange;



1 (d) A secure and traceable electronic audit system for
2 identifying access points and trails to electronic health records and
3 health information exchanges; and

4 (e) Any other requirements necessary to comply with all
5 applicable federal laws relating to electronic health records, health-
6 related information, health information exchanges and the security
7 and confidentiality of such records and exchanges.

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

10 *4. Except as otherwise provided in subsections 5 and 6, the
11 Department and the divisions thereof, other state and local
12 governmental entities, health care providers, third parties,
13 pharmacy benefit managers and other entities licensed or certified
14 pursuant to title 57 of NRS shall maintain, transmit and exchange
15 health information in accordance with the regulations adopted
16 pursuant to this section, the provisions of NRS 439.581 to 439.595,
17 inclusive, and section 1 of this act, and any other regulations
18 adopted pursuant thereto.*

19 *5. The Federal Government and employees thereof, a
20 provider of health coverage for federal employees, a provider of
21 health coverage that is subject to the Employee Retirement Income
22 Security Act of 1974, 29 U.S.C. §§ 1001 et seq., or a Taft-Hartley
23 trust formed pursuant to 29 U.S.C. § 186(c)(5) is not required to
24 but may maintain, transmit and exchange electronic information
25 in accordance with the regulations adopted pursuant to this
26 section.*

27 *6. A health care provider may apply to the Department for a
28 waiver from the provisions of subsection 4 on the basis that the
29 health care provider does not have the infrastructure necessary to
30 comply with those provisions, including, without limitation,
31 because the health care provider does not have access to the
32 Internet. The Department shall grant a waiver if it determines
33 that:*

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

37 *(b) Obtaining such infrastructure is not reasonably
38 practicable, including, without limitation, because the cost of such
39 infrastructure would make it difficult for the health care provider
40 to continue to operate.*

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

43 *8. As used in this section:*

44 *(a) "Pharmacy benefit manager" has the meaning ascribed to
45 it in NRS 683A.174.*



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

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

5 439.593 A health care provider who with reasonable care
6 *transmits, accesses, utilizes, discloses,* relies upon *or provides to a*
7 *patient* an apparently genuine electronic health record accessed
8 ~~[from a health information exchange to make a decision concerning~~
9 ~~the provision of health care to a patient]~~ *in accordance with NRS*
10 *439.581 to 439.595, inclusive, and section 1 of this act, and the*
11 *regulations adopted pursuant thereto* is immune from civil or
12 criminal liability for ~~[the]~~ *any decision concerning the provision of*
13 *health care to the patient and any civil or criminal liability*
14 *resulting from the provision of the record to a patient* if:

- 15 1. The electronic health record is inaccurate;
- 16 2. The inaccuracy was not caused by the health care provider;
- 17 3. The inaccuracy resulted in an inappropriate health care
18 decision; and
- 19 4. The health care decision was appropriate based upon the
20 information contained in the inaccurate electronic health record.

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

22 439.595 Providing information to , *transmitting, accessing,*
23 *utilizing or disclosing* an electronic health record or participating in
24 a health information exchange in accordance with NRS 439.581 to
25 439.595, inclusive, *and section 1 of this act* does not constitute an
26 unfair trade practice pursuant to chapter 598A or 686A of NRS.

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

29 *1. If the Division receives notification from the Department*
30 *of Health and Human Services pursuant to section 1 of this act*
31 *that a medical facility licensed pursuant to this chapter is not in*
32 *compliance with the requirements of subsection 4 of NRS 439.589,*
33 *the Division may, after notice and the opportunity for a hearing in*
34 *accordance with the provisions of this chapter, require corrective*
35 *action or impose an administrative penalty in the amount*
36 *prescribed by NRS 449.163.*

37 *2. The Division shall not suspend or revoke a license for*
38 *failure to comply with the requirements of subsection 4 of*
39 *NRS 439.589.*

40 **Sec. 10.** NRS 449.029 is hereby amended to read as follows:

41 449.029 As used in NRS 449.029 to 449.240, inclusive, *and*
42 *section 9 of this act,* unless the context otherwise requires, “medical
43 facility” has the meaning ascribed to it in NRS 449.0151 and
44 includes a program of hospice care described in NRS 449.196.



1 **Sec. 11.** NRS 449.0301 is hereby amended to read as follows:
2 449.0301 The provisions of NRS 449.029 to 449.2428,
3 inclusive, *and section 9 of this act* do not apply to:

4 1. Any facility conducted by and for the adherents of any
5 church or religious denomination for the purpose of providing
6 facilities for the care and treatment of the sick who depend solely
7 upon spiritual means through prayer for healing in the practice of
8 the religion of the church or denomination, except that such a
9 facility shall comply with all regulations relative to sanitation and
10 safety applicable to other facilities of a similar category.

11 2. Foster homes as defined in NRS 424.014.

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

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

17 449.0302 1. The Board shall adopt:

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

22 (b) Regulations governing the licensing of such facilities and
23 programs.

24 (c) Regulations governing the procedure and standards for
25 granting an extension of the time for which a natural person may
26 provide certain care in his or her home without being considered a
27 residential facility for groups pursuant to NRS 449.017. The
28 regulations must require that such grants are effective only if made
29 in writing.

30 (d) Regulations establishing a procedure for the indemnification
31 by the Division, from the amount of any surety bond or other
32 obligation filed or deposited by a facility for refractive surgery
33 pursuant to NRS 449.068 or 449.069, of a patient of the facility who
34 has sustained any damages as a result of the bankruptcy of or any
35 breach of contract by the facility.

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

38 (f) Regulations requiring a hospital or independent center for
39 emergency medical care to provide training to each employee who
40 provides care to victims of sexual assault or attempted sexual assault
41 concerning appropriate care for such persons, including, without
42 limitation, training concerning the requirements of NRS 449.1885.

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



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

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

4 (b) Residential facilities for groups,

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

8 3. The Board shall adopt separate regulations for:

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

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

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

16 4. The Board shall require that the practices and policies of
17 each medical facility or facility for the dependent provide
18 adequately for the protection of the health, safety and physical,
19 moral and mental well-being of each person accommodated in the
20 facility.

21 5. In addition to the training requirements prescribed pursuant
22 to NRS 449.093, the Board shall establish minimum qualifications
23 for administrators and employees of residential facilities for groups.
24 In establishing the qualifications, the Board shall consider the
25 related standards set by nationally recognized organizations which
26 accredit such facilities.

27 6. The Board shall adopt separate regulations regarding the
28 assistance which may be given pursuant to NRS 453.375 and
29 454.213 to an ultimate user of controlled substances or dangerous
30 drugs by employees of residential facilities for groups. The
31 regulations must require at least the following conditions before
32 such assistance may be given:

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

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

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

39 (1) Addresses possession and assistance in the administration
40 of the medication; and

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



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

4 (e) The employee has successfully completed training and
5 examination approved by the Division regarding the authorized
6 manner of assistance.

7 7. The Board shall adopt separate regulations governing the
8 licensing and operation of residential facilities for groups which
9 provide assisted living services. The Board shall not allow the
10 licensing of a facility as a residential facility for groups which
11 provides assisted living services and a residential facility for groups
12 shall not claim that it provides "assisted living services" unless:

13 (a) Before authorizing a person to move into the facility, the
14 facility makes a full written disclosure to the person regarding what
15 services of personalized care will be available to the person and the
16 amount that will be charged for those services throughout the
17 resident's stay at the facility.

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

20 (1) Except as otherwise provided in subsection 8, contain
21 toilet facilities;

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

23 (3) Are shared with another occupant only upon consent of
24 both occupants.

25 (c) The facility provides personalized care to the residents of the
26 facility and the general approach to operating the facility
27 incorporates these core principles:

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

31 (2) The facility is committed to offering high-quality
32 supportive services that are developed by the facility in
33 collaboration with the resident to meet the resident's individual
34 needs;

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

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

42 (5) The operation of the facility is designed to foster a social
43 climate that allows the resident to develop and maintain personal
44 relationships with fellow residents and with persons in the general
45 community;



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

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

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

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

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

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

19 (2) Result in more than two residents sharing a toilet facility;
20 or

21 (3) Otherwise impair substantially the purpose of that
22 requirement.

23 9. The Board shall, if it determines necessary, adopt
24 regulations and requirements to ensure that each residential facility
25 for groups and its staff are prepared to respond to an emergency,
26 including, without limitation:

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

30 (b) The adoption of plans to provide for the evacuation of a
31 residential facility for groups in an emergency, including, without
32 limitation, plans to ensure that nonambulatory patients may be
33 evacuated;

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

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

39 10. The regulations governing the licensing and operation of
40 facilities for transitional living for released offenders must provide
41 for the licensure of at least three different types of facilities,
42 including, without limitation:

43 (a) Facilities that only provide a housing and living
44 environment;



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

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

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

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

14 (a) Except as otherwise provided in paragraph (b), require a
15 natural person responsible for the operation of a provider of
16 community-based living arrangement services and each employee of
17 a provider of community-based living arrangement services who
18 supervises or provides support to recipients of community-based
19 living arrangement services to complete training concerning the
20 provision of community-based living arrangement services to
21 persons with mental illness and continuing education concerning the
22 particular population served by the provider;

23 (b) Exempt a person licensed or certified pursuant to title 54 of
24 NRS from the requirements prescribed pursuant to paragraph (a) if
25 the Board determines that the person is required to receive training
26 and continuing education substantially equivalent to that prescribed
27 pursuant to that paragraph;

28 (c) Require a natural person responsible for the operation of a
29 provider of community-based living arrangement services to receive
30 training concerning the provisions of title 53 of NRS applicable to
31 the provision of community-based living arrangement services; and

32 (d) Require an applicant for a license to provide community-
33 based living arrangement services to post a surety bond in an
34 amount equal to the operating expenses of the applicant for 2
35 months, place that amount in escrow or take another action
36 prescribed by the Division to ensure that, if the applicant becomes
37 insolvent, recipients of community-based living arrangement
38 services from the applicant may continue to receive community-
39 based living arrangement services for 2 months at the expense of the
40 applicant.

41 12. The Board shall adopt separate regulations governing the
42 licensing and operation of freestanding birthing centers. Such
43 regulations must:

44 (a) Align with the standards established by the American
45 Association of Birth Centers, or its successor organization, the



1 accrediting body of the Commission for the Accreditation of Birth
2 Centers, or its successor organization, or another nationally
3 recognized organization for accrediting freestanding birthing
4 centers; and

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

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

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

10 449.160 1. The Division may deny an application for a
11 license or may suspend or revoke any license issued under the
12 provisions of NRS 449.029 to 449.2428, inclusive, *and section 9 of*
13 *this act* upon any of the following grounds:

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

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

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

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

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

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

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

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

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

40 (b) Is ordered to but fails to abate a nuisance pursuant to NRS
41 244.360, 244.3603 or 268.4124; or

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



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

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

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

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

12 ➤ The facility shall make the information available to the public
13 pursuant to NRS 449.2486.

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

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

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

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

22 449.163 1. In addition to the payment of the amount required
23 by NRS 449.0308, if a medical facility, facility for the dependent or
24 facility which is required by the regulations adopted by the Board
25 pursuant to NRS 449.0303 to be licensed violates any provision
26 related to its licensure, including any provision of NRS 439B.410 or
27 449.029 to 449.2428, inclusive, *and section 9 of this act* or any
28 condition, standard or regulation adopted by the Board, the
29 Division, in accordance with the regulations adopted pursuant to
30 NRS 449.165, may:

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

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

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

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

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



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

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

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

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

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

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

17 4. Any money collected as administrative penalties pursuant to
18 paragraph (d) of subsection 1 must be accounted for separately and
19 used to administer and carry out the provisions of NRS 449.001 to
20 449.430, inclusive, *and section 9 of this act*, 449.435 to 449.531,
21 inclusive, and chapter 449A of NRS to protect the health, safety,
22 well-being and property of the patients and residents of facilities in
23 accordance with applicable state and federal standards or for any
24 other purpose authorized by the Legislature.

25 **Sec. 15.** (Deleted by amendment.)

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

27 449.240 The district attorney of the county in which the facility
28 is located shall, upon application by the Division, institute and
29 conduct the prosecution of any action for violation of any provisions
30 of NRS 449.029 to 449.245, inclusive ~~§~~, *and section 9 of this act.*

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

33 *1. If the health authority receives notification from the*
34 *Department of Health and Human Services pursuant to section 1*
35 *of this act that the holder of a permit to operate an ambulance, air*
36 *ambulance or vehicle of a fire-fighting agency is not in*
37 *compliance with the requirements of subsection 4 of NRS 439.589,*
38 *the health authority may, after notice and the opportunity for a*
39 *hearing in accordance with the provisions of this chapter, require*
40 *corrective action or impose an administrative penalty in an*
41 *amount established by regulation of the board.*

42 *2. The health authority shall not suspend or revoke a permit*
43 *for failure to comply with the requirements of subsection 4 of*
44 *NRS 439.589.*



1 **Sec. 18.** NRS 218D.355 is hereby amended to read as follows:
2 218D.355 1. Except as otherwise provided in NRS 360.753,
3 360.754, 360.893 and 360.965 ~~§~~ *and section 31 of this act*, any
4 state legislation enacted on or after July 1, 2012, which authorizes or
5 requires the Office of Economic Development to approve any
6 abatement of taxes or increases the amount of any abatement of
7 taxes which the Office is authorized or required to approve:

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

10 (b) Does not apply to:

11 (1) Any taxes imposed pursuant to NRS 374.110 and
12 374.111 or 374.190 and 374.191; or

13 (2) Any entity that receives:

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

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

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

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

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

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

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

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

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

38 (7) An accounting of the total investment in personal
39 property made in connection with the project to which the
40 abatement applies.

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

43 (a) Based upon the information submitted to the Department of
44 Taxation pursuant to paragraph (c) of subsection 1, prepare a written



1 report of its findings regarding whether the costs of the abatement
2 exceed the benefits of the abatement; and

3 (b) Submit the report to the Director for transmittal to the
4 Legislature.

5 **Sec. 19.** NRS 231.0685 is hereby amended to read as follows:

6 231.0685 The Office shall, on or before January 15 of each
7 odd-numbered year, prepare and submit to the Director of the
8 Legislative Counsel Bureau for transmission to the Legislature a
9 report concerning the abatements from taxation that the Office
10 approved pursuant to NRS 274.310, 274.320, 274.330, 360.750,
11 360.752, 360.753 or 360.754 ~~§~~ *or section 31 of this act*. The report
12 must set forth, for each abatement from taxation that the Office
13 approved during the fiscal years which are 3 fiscal years and 6 fiscal
14 years immediately preceding the submission of the report:

15 1. The dollar amount of the abatement;

16 2. The location of the business for which the abatement was
17 approved;

18 3. The value of infrastructure included as an incentive for the
19 business;

20 4. If applicable, the number of employees that the business for
21 which the abatement was approved employs or will employ;

22 5. Whether the business for which the abatement was approved
23 is a new business or an existing business;

24 6. The economic sector in which the business operates, the
25 number of primary jobs related to the business, the average wage
26 paid to employees of the business and the assessed values of
27 personal property and real property of the business;

28 7. Any information concerning whether the business for which
29 the abatement was approved participates or has participated in a
30 program of workforce development, as defined in NRS 231.146,
31 implemented by the Executive Director; and

32 8. Any other information that the Office determines to be
33 useful.

34 **Sec. 20.** NRS 231A.170 is hereby amended to read as follows:

35 231A.170 1. For the purpose of NRS 231A.110, a qualified
36 active low-income community business is limited to those
37 businesses meeting the Small Business Administration size
38 eligibility standards established in 13 C.F.R. §§ 121.101 to 201,
39 inclusive, at the time the qualified low-income community
40 investment is made. A business must be considered a qualified
41 active low-income community business for the duration of the
42 qualified community development entity's investment in, or loan to,
43 the business if the entity reasonably expects, at the time it makes the
44 investment or loan, that the business will continue to satisfy the
45 requirements for being a qualified active low-income community



1 business, other than the Small Business Administration size
2 standards, throughout the entire period of the investment or loan.

3 2. Except as otherwise provided in this subsection, the
4 businesses limited by this section do not include any business that
5 derives or projects to derive 15 percent or more of its annual
6 revenue from the rental or sale of real estate. This exclusion does
7 not apply to a business that is controlled by, or under common
8 control with, another business if the second business:

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

11 (b) Is the primary tenant of the real estate leased from the first
12 business.

13 3. Except as otherwise provided in subsection 4, the following
14 businesses are not qualified active low-income community
15 businesses:

16 (a) A business that has received an abatement from taxation
17 pursuant to NRS 274.310, 274.320, 274.330, 360.750, 360.753 or
18 360.754 **or section 31 of this act.**

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

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

22 (d) A massage parlor.

23 (e) A bath house.

24 (f) A tanning salon.

25 (g) A country club.

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

28 (i) A liquor store.

29 (j) A golf course.

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

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

40 (1) Any agreement entered into by the business and the
41 Office of Economic Development pursuant to NRS 274.310,
42 274.320, 274.330, 360.750, 360.753 or 360.754 **or section 31 of this**
43 **act** is void; and

44 (2) The Office of Economic Development must forward a
45 copy of the written notice to the Department and each governmental



1 entity or official to whom a copy of the certificate of eligibility for
2 the abatement was forwarded.

3 (b) After the period required by this subsection has expired, the
4 Office of Economic Development must provide written notice to the
5 Department and the business that the abatement has not been waived
6 and the business is not a qualified active low-income community
7 business.

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

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

13 **Sec. 23.** *1. The Nevada Innovation Hub is hereby*
14 *established within the Department.*

15 *2. The Director shall appoint the Chief Data Officer to serve*
16 *as the executive head of the Hub. The Chief Data Officer is in the*
17 *unclassified service of the State and serves at the pleasure of the*
18 *Director.*

19 *3. The Chief Data Officer shall:*

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

21 *(b) Advise the Department, the divisions of the Department*
22 *and county, city and district boards of health and health*
23 *departments regarding best practices concerning the creation and*
24 *maintenance of data; and*

25 *(c) Coordinate planning concerning data analytics and*
26 *transparency for the Department.*

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

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

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

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

33 *(2) County, city and district boards of health and health*
34 *departments; and*

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

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

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

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

45 *(c) Adopt regulations prescribing:*



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

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

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

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

13 (e) *Maintain the security of the information described in*
14 *paragraph (a).*

15 (f) *Conduct operational and procedural audits of the*
16 *Department and its divisions.*

17 (g) *Perform financial planning for and design and implement*
18 *projects to improve the efficiency of the Department and its*
19 *divisions.*

20 (h) *Advise and assist the Department and its divisions to*
21 *identify and implement procedures to continuously improve*
22 *processes.*

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

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

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

38 4. *The Hub shall not:*

39 (a) *Make information available where prohibited by federal or*
40 *state law; or*

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



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

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

7 **Sec. 25.** NRS 232.290 is hereby amended to read as follows:
8 232.290 As used in NRS 232.290 to 232.4983, inclusive, **and**
9 **sections 22, 23 and 24 of this act**, unless the context requires
10 otherwise:

11 1. "Department" means the Department of Health and Human
12 Services.

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

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

15 232.320 1. The Director:

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

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

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

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

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

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

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

40 (c) Shall administer any state program for persons with
41 developmental disabilities established pursuant to the
42 Developmental Disabilities Assistance and Bill of Rights Act of
43 2000, 42 U.S.C. §§ 15001 et seq.

44 (d) Shall, after considering advice from agencies of local
45 governments and nonprofit organizations which provide social



1 services, adopt a master plan for the provision of human services in
2 this State. The Director shall revise the plan biennially and deliver a
3 copy of the plan to the Governor and the Legislature at the
4 beginning of each regular session. The plan must:

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

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

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

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

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

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

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

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

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

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

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



1 178.5691, 179.495, 179A.070, 179A.165, 179D.160, 200.3771,
2 200.3772, 200.5095, 200.604, 202.3662, 205.4651, 209.392,
3 209.3923, 209.3925, 209.419, 209.429, 209.521, 211A.140,
4 213.010, 213.040, 213.095, 213.131, 217.105, 217.110, 217.464,
5 217.475, 218A.350, 218E.625, 218F.150, 218G.130, 218G.240,
6 218G.350, 224.240, 226.300, 228.270, 228.450, 228.495, 228.570,
7 231.069, 231.1473, 232.1369, 233.190, 237.300, 239.0105,
8 239.0113, 239.014, 239B.026, 239B.030, 239B.040, 239B.050,
9 239C.140, 239C.210, 239C.230, 239C.250, 239C.270, 239C.420,
10 240.007, 241.020, 241.030, 241.039, 242.105, 244.264, 244.335,
11 247.540, 247.550, 247.560, 250.087, 250.130, 250.140, 250.150,
12 268.095, 268.0978, 268.490, 268.910, 269.174, 271A.105, 281.195,
13 281.805, 281A.350, 281A.680, 281A.685, 281A.750, 281A.755,
14 281A.780, 284.4068, 284.4086, 286.110, 286.118, 287.0438,
15 289.025, 289.080, 289.387, 289.830, 293.4855, 293.5002, 293.503,
16 293.504, 293.558, 293.5757, 293.870, 293.906, 293.908, 293.910,
17 293B.135, 293D.510, 331.110, 332.061, 332.351, 333.333, 333.335,
18 338.070, 338.1379, 338.1593, 338.1725, 338.1727, 348.420,
19 349.597, 349.775, 353.205, 353A.049, 353A.085, 353A.100,
20 353C.240, 360.240, 360.247, 360.255, 360.755, 361.044, 361.2242,
21 361.610, 365.138, 366.160, 368A.180, 370.257, 370.327, 372A.080,
22 378.290, 378.300, 379.0075, 379.008, 379.1495, 385A.830,
23 385B.100, 387.626, 387.631, 388.1455, 388.259, 388.501, 388.503,
24 388.513, 388.750, 388A.247, 388A.249, 391.033, 391.035,
25 391.0365, 391.120, 391.925, 392.029, 392.147, 392.264, 392.271,
26 392.315, 392.317, 392.325, 392.327, 392.335, 392.850, 393.045,
27 394.167, 394.16975, 394.1698, 394.447, 394.460, 394.465,
28 396.1415, 396.1425, 396.143, 396.159, 396.3295, 396.405, 396.525,
29 396.535, 396.9685, 398A.115, 408.3885, 408.3886, 408.3888,
30 408.5484, 412.153, 414.280, 416.070, 422.2749, 422.305,
31 422A.342, 422A.350, 425.400, 427A.1236, 427A.872, 432.028,
32 432.205, 432B.175, 432B.280, 432B.290, 432B.4018, 432B.407,
33 432B.430, 432B.560, 432B.5902, 432C.140, 432C.150, 433.534,
34 433A.360, 439.4941, 439.4988, 439.840, 439.914, 439A.116,
35 439A.124, 439B.420, 439B.754, 439B.760, 439B.845, 440.170,
36 441A.195, 441A.220, 441A.230, 442.330, 442.395, 442.735,
37 442.774, 445A.665, 445B.570, 445B.7773, 447.345, 449.209,
38 449.245, 449.4315, 449A.112, 450.140, 450B.188, 450B.805,
39 453.164, 453.720, 458.055, 458.280, 459.050, 459.3866, 459.555,
40 459.7056, 459.846, 463.120, 463.15993, 463.240, 463.3403,
41 463.3407, 463.790, 467.1005, 480.535, 480.545, 480.935, 480.940,
42 481.063, 481.091, 481.093, 482.170, 482.368, 482.5536, 483.340,
43 483.363, 483.575, 483.659, 483.800, 484A.469, 484B.830,
44 484B.833, 484E.070, 485.316, 501.344, 503.452, 522.040,
45 534A.031, 561.285, 571.160, 584.655, 587.877, 598.0964, 598.098,



1 598A.110, 598A.420, 599B.090, 603.070, 603A.210, 604A.303,
2 604A.710, 612.265, 616B.012, 616B.015, 616B.315, 616B.350,
3 618.341, 618.425, 622.238, 622.310, 623.131, 623A.137, 624.110,
4 624.265, 624.327, 625.425, 625A.185, 628.418, 628B.230,
5 628B.760, 629.047, 629.069, 630.133, 630.2671, 630.2672,
6 630.2673, 630.30665, 630.336, 630A.327, 630A.555, 631.332,
7 631.368, 632.121, 632.125, 632.3415, 632.3423, 632.405, 633.283,
8 633.301, 633.4715, 633.4716, 633.4717, 633.524, 634.055,
9 634.1303, 634.214, 634A.169, 634A.185, 635.111, 635.158,
10 636.262, 636.342, 637.085, 637.145, 637B.192, 637B.288, 638.087,
11 638.089, 639.183, 639.2485, 639.570, 640.075, 640.152, 640A.185,
12 640A.220, 640B.405, 640B.730, 640C.580, 640C.600, 640C.620,
13 640C.745, 640C.760, 640D.135, 640D.190, 640E.225, 640E.340,
14 641.090, 641.221, 641.2215, 641.325, 641A.191, 641A.217,
15 641A.262, 641B.170, 641B.281, 641B.282, 641C.455, 641C.760,
16 641D.260, 641D.320, 642.524, 643.189, 644A.870, 645.180,
17 645.625, 645A.050, 645A.082, 645B.060, 645B.092, 645C.220,
18 645C.225, 645D.130, 645D.135, 645G.510, 645H.320, 645H.330,
19 647.0945, 647.0947, 648.033, 648.197, 649.065, 649.067, 652.126,
20 652.228, 653.900, 654.110, 656.105, 657A.510, 661.115, 665.130,
21 665.133, 669.275, 669.285, 669A.310, 671.170, 673.450, 673.480,
22 675.380, 676A.340, 676A.370, 677.243, 678A.470, 678C.710,
23 678C.800, 679B.122, 679B.124, 679B.152, 679B.159, 679B.190,
24 679B.285, 679B.690, 680A.270, 681A.440, 681B.260, 681B.410,
25 681B.540, 683A.0873, 685A.077, 686A.289, 686B.170, 686C.306,
26 687A.060, 687A.115, 687B.404, 687C.010, 688C.230, 688C.480,
27 688C.490, 689A.696, 692A.117, 692C.190, 692C.3507, 692C.3536,
28 692C.3538, 692C.354, 692C.420, 693A.480, 693A.615, 696B.550,
29 696C.120, 703.196, 704B.325, 706.1725, 706A.230, 710.159,
30 711.600, *and section 24 of this act*, sections 35, 38 and 41 of
31 chapter 478, Statutes of Nevada 2011 and section 2 of chapter 391,
32 Statutes of Nevada 2013 and unless otherwise declared by law to be
33 confidential, all public books and public records of a governmental
34 entity must be open at all times during office hours to inspection by
35 any person, and may be fully copied or an abstract or memorandum
36 may be prepared from those public books and public records. Any
37 such copies, abstracts or memoranda may be used to supply the
38 general public with copies, abstracts or memoranda of the records or
39 may be used in any other way to the advantage of the governmental
40 entity or of the general public. This section does not supersede or in
41 any manner affect the federal laws governing copyrights or enlarge,
42 diminish or affect in any other manner the rights of a person in any
43 written book or record which is copyrighted pursuant to federal law.
44 2. A governmental entity may not reject a book or record
45 which is copyrighted solely because it is copyrighted.



1 3. A governmental entity that has legal custody or control of a
2 public book or record shall not deny a request made pursuant to
3 subsection 1 to inspect or copy or receive a copy of a public book or
4 record on the basis that the requested public book or record contains
5 information that is confidential if the governmental entity can
6 redact, delete, conceal or separate, including, without limitation,
7 electronically, the confidential information from the information
8 included in the public book or record that is not otherwise
9 confidential.

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

15 (a) The public record:

16 (1) Was not created or prepared in an electronic format; and

17 (2) Is not available in an electronic format; or

18 (b) Providing the public record in an electronic format or by
19 means of an electronic medium would:

20 (1) Give access to proprietary software; or

21 (2) Require the production of information that is confidential
22 and that cannot be redacted, deleted, concealed or separated from
23 information that is not otherwise confidential.

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

26 (a) Shall not refuse to provide a copy of that public record in the
27 medium that is requested because the officer, employee or agent has
28 already prepared or would prefer to provide the copy in a different
29 medium.

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

34 **Sec. 28.** NRS 287.010 is hereby amended to read as follows:

35 287.010 1. The governing body of any county, school
36 district, municipal corporation, political subdivision, public
37 corporation or other local governmental agency of the State of
38 Nevada may:

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



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

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

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

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

44 3. In any county in which a legal services organization exists,
45 the governing body of the county, or of any school district,



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

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

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

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

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

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

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

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

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

32 **Sec. 29.** NRS 287.04335 is hereby amended to read as
33 follows:

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



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

2 353.207 1. The Chief shall:

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

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

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

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

27 **Sec. 31.** Chapter 360 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 the*
30 *industry of health care in this State may apply to the Office of*
31 *Economic Development pursuant to this section for a partial*
32 *abatement of one or more of:*

33 (a) *The local sales and use taxes imposed on the purchase of*
34 *eligible machinery, equipment and supplies, as defined in section*
35 *37 of this act.*

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

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

43 2. *Notwithstanding the provisions of any law to the contrary*
44 *and except as otherwise provided in subsection 3, the Office of*



1 *Economic Development shall approve an application for a partial*
2 *abatement if the Office makes the following determinations:*

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

6 (1) *Complies with the requirements of NRS 360.755;*

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

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

18 (4) *Binds any successor in interest of the applicant for the*
19 *specified period;*

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

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

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

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

40 (f) *The business will make a new capital investment of at least*
41 *\$3,000,000 in this State within 1 year after receiving a certificate*
42 *of eligibility for a partial abatement;*

43 (g) *The business engages in qualified research in the field of*
44 *health care or provides health care services in this State; and*



1 (h) *If the application is for the partial abatement of the taxes*
2 *imposed by the Local School Support Tax Law, the application*
3 *has been approved by a vote of at least two-thirds of the members*
4 *of the Board of Economic Development created by NRS 231.033.*

5 3. *The Office of Economic Development:*

6 (a) *In considering applications submitted pursuant to this*
7 *section, shall prioritize applications which propose to serve rural*
8 *areas, areas with a high ratio of patients to physicians and areas*
9 *otherwise underserved by providers of health care;*

10 (b) *Shall approve or deny an application submitted pursuant to*
11 *this section and notify the applicant of its decision not later than*
12 *45 days after receiving the application.*

13 (c) *Must not:*

14 (1) *Consider an application for a partial abatement unless*
15 *the Office has requested a letter of acknowledgment of the request*
16 *for the partial abatement from any affected county, school district,*
17 *city or town and has complied with the requirements of NRS*
18 *360.757; or*

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

21 4. *If the Office of Economic Development approves an*
22 *application for a partial abatement pursuant to this section, the*
23 *Office shall immediately forward a certificate of eligibility for the*
24 *partial abatement to:*

25 (a) *The Department;*

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

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

29 5. *An applicant for a partial abatement pursuant to this*
30 *section or an existing business whose partial abatement is in effect*
31 *shall, upon the request of the Executive Director of the Office of*
32 *Economic Development, furnish the Executive Director with*
33 *copies of all records necessary to verify that the applicant meets*
34 *the requirements of subsection 2.*

35 6. *If an applicant for a partial abatement pursuant to this*
36 *section fails to execute the agreement described in paragraph (a)*
37 *of subsection 2 within 1 year after the date on which the*
38 *application was received by the Office, the applicant must not be*
39 *approved for a partial abatement pursuant to this section unless*
40 *the applicant submits a new application.*

41 7. *If a business whose partial abatement has been approved*
42 *pursuant to this section and whose partial abatement is in effect*
43 *ceases:*

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



1 (b) Operation before the time specified in the agreement
2 described in paragraph (a) of subsection 2,
3 ↳ the business shall repay to the Department the amount of the
4 partial abatement that was allowed pursuant to this section before
5 the failure of the business to comply, unless the Nevada Tax
6 Commission determines that the business has substantially
7 complied with the requirements of this section. Except as
8 otherwise provided in NRS 360.232 and 360.320, the business
9 shall, in addition to the amount of the partial abatement required
10 to be repaid pursuant to this subsection, pay interest on the
11 amount due at the rate most recently established pursuant to NRS
12 99.040 for each month, or portion thereof, from the last day of the
13 month following the period for which the payment would have
14 been made had the partial abatement not been approved until the
15 date of payment of the tax.

16 8. The Office of Economic Development may adopt such
17 regulations as the Office determines to be necessary to carry out
18 the provisions of this section.

19 9. The Nevada Tax Commission may adopt such regulations
20 as the Commission determines are necessary to carry out the
21 provisions of this section.

22 10. An applicant for a partial abatement who is aggrieved by
23 a final decision of the Office of Economic Development may
24 petition a court of competent jurisdiction to review the decision in
25 the manner provided in chapter 233B of NRS.

26 11. As used in this section:

27 (a) "Local sales and use taxes" means any taxes imposed on
28 the gross receipts of any retailer from the sale of tangible personal
29 property sold at retail, or stored, used or otherwise consumed, in
30 any political subdivision of this State, except the taxes imposed by
31 the Sales and Use Tax Act.

32 (b) "Qualified research" has the meaning ascribed to it in 26
33 U.S.C. § 41(d).

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

35 360.755 1. If the Office of Economic Development approves
36 an application by a business for an abatement of taxes pursuant to
37 NRS 360.950 or a partial abatement pursuant to NRS 360.750,
38 360.752, 360.753, 360.754 or 360.890, **or section 31 of this act**, the
39 agreement with the Office must provide that the business:

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

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



1 2. If the Department conducts an audit of the business to
2 determine whether the business is in full compliance with the
3 requirements for the abatement or partial abatement, the Department
4 shall, upon request, provide the audit report to the Office of
5 Economic Development.

6 3. Until the business has exhausted all appeals to the
7 Department and the Nevada Tax Commission relating to the audit,
8 the information contained in the audit report provided to the Office
9 of Economic Development:

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

11 (b) Is not a public record; and

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

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

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

19 (b) Upon request by any person, the Executive Director of the
20 Office of Economic Development shall disclose the audit report to
21 the person who made the request, except for any information in the
22 audit report that is protected from disclosure pursuant to
23 subsection 5.

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

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

36 (b) Is not a public record;

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

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

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

43 360.757 1. The Office of Economic Development shall not
44 take any action on an application for any abatement of
45 taxes pursuant to NRS 274.310, 274.320, 274.330, 360.750, 360.753



1 or 360.754 *or section 31 of this act* or any other specific statute
2 unless the Office:

3 (a) Takes that action at a public meeting conducted for that
4 purpose; and

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

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

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

12 (3) The general public.

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

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

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

19 360.7575 1. If the Office of Economic Development
20 approves an application for an abatement of sales and use taxes
21 pursuant to NRS 360.950 or a partial abatement of any sales and use
22 taxes pursuant to NRS 274.310, 274.320, 274.330, 360.750,
23 360.753, 360.754 or 360.890, *or section 31 of this act*, the
24 Department shall issue to the business a document certifying the
25 abatement or partial abatement which can be presented to retailers at
26 the time of purchase. The document must clearly state that the
27 business is not required to pay sales and use taxes or the rate of sales
28 and use tax that the business is required to pay.

29 2. If the Department has issued to a business a document
30 pursuant to subsection 1 and the business pays an amount of sales
31 and use taxes for which the business was entitled to an abatement
32 because the business fails to present the document, the business may
33 apply to the Department for a refund of the amount of sales and use
34 tax paid for which the business was entitled to an abatement. If the
35 Department has issued to a business a document pursuant to
36 subsection 1 and the failure of the business to present the document
37 results in the business paying the full amount of sales and use tax on
38 50 percent or more of the purchases for which the business was
39 eligible for the abatement, the Department shall impose on the
40 business a penalty equal to 10 percent of the total amount of the
41 abatement. The Department shall distribute the proceeds of any
42 penalty imposed pursuant to this subsection to each local
43 government affected by a refund issued pursuant to this subsection
44 in proportion to the amount of the refunds for which the affected
45 local government is responsible.



1 3. If, after submitting an application for an abatement of sales
2 and use taxes pursuant to NRS 360.950 or a partial abatement of any
3 sales and use taxes pursuant to NRS 360.750, 360.753, 360.754 or
4 360.890 *or section 31 of this act* and before receiving the document
5 issued pursuant to subsection 1, a business pays an amount of sales
6 and use tax for which the business is entitled to an abatement, the
7 business may apply to the Department for a refund of the amount of
8 sales and use tax which the applicant paid for which the business is
9 entitled to an abatement.

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

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

14 *1. A person who intends to locate or expand a business in the*
15 *industry of health care in this State may, pursuant to section 31 of*
16 *this act, apply to the Office of Economic Development for a partial*
17 *abatement from the taxes imposed by this chapter.*

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

22 (a) *The partial abatement must:*

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

25 (2) *Equal 50 percent of the taxes imposed on the real*
26 *property of the business each year pursuant to this chapter and 50*
27 *percent of the taxes imposed on the personal property of the*
28 *business that is eligible machinery, equipment and supplies; and*

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

31 (b) *The Executive Director of the Office of Economic*
32 *Development shall notify the county assessor of each county in*
33 *which the business is located of the approval of the partial*
34 *abatement, including, without limitation, the duration and*
35 *percentage of the partial abatement that the Office granted. The*
36 *Executive Director shall, on or before April 15 of each year,*
37 *advise the county assessor of each county in which a business*
38 *qualifies for a partial abatement during the current fiscal year as*
39 *to whether the business is still eligible for the partial abatement in*
40 *the next succeeding fiscal year.*

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

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

8 2. *The abatement must:*

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

10 (b) *Equal the amount of tax otherwise due pursuant to NRS*
11 *363B.110 on the wages of employees of the business who perform*
12 *services directly related to addressing a critical medical or*
13 *scientific need, as defined by regulations adopted by the Office of*
14 *Economic Development pursuant to section 31 of this act.*

15 3. *If a partial abatement from the taxes otherwise due*
16 *pursuant to NRS 363B.110 is approved by the Office of Economic*
17 *Development pursuant to NRS 360.750, the partial abatement*
18 *must be administered and carried out in the manner set forth in*
19 *NRS 360.750.*

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

22 1. *A person who intends to locate or expand a business in the*
23 *industry of health care in this State may, pursuant to section 31 of*
24 *this act, apply to the Office of Economic Development for a partial*
25 *abatement from the taxes imposed by this chapter on the gross*
26 *receipts from the sale, and the storage, use or other consumption,*
27 *of eligible machinery, equipment and supplies for use at the*
28 *business which has been approved for a partial abatement*
29 *pursuant to section 31 of this act.*

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

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

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

35 3. *As used in this section:*

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

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

42 **Sec. 38.** NRS 374.357 is hereby amended to read as follows:
43 374.357 1. A person who maintains a business or intends to
44 locate a business in this State may, pursuant to NRS 360.750, apply
45 to the Office of Economic Development for an abatement from the



1 taxes imposed by this chapter on the gross receipts from the sale,
2 and the storage, use or other consumption, of eligible machinery or
3 equipment for use by a business which has been approved for an
4 abatement pursuant to NRS 360.750.

5 2. If an application for an abatement is approved pursuant to
6 NRS 360.750:

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

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

11 3. As used in this section, unless the context otherwise
12 requires, "eligible machinery or equipment" means machinery or
13 equipment for which a deduction is authorized pursuant to 26 U.S.C.
14 § 179. The term does not include:

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

16 (b) Equipment used by a public utility;

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

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

19 ~~[(e)] (d) Machinery or equipment used in gaming.~~

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

22 *1. The Legislature hereby finds and declares that it is the*
23 *public policy of this State that each resident of this State who*
24 *otherwise qualifies for enrollment in Medicaid, regardless of his*
25 *or her immigration or citizenship status, is eligible to receive the*
26 *benefits provided for by subsection 2.*

27 *2. The Director shall:*

28 *(a) Establish a program to provide coverage, to the same*
29 *extent as coverage provided under Medicaid, to persons who:*

30 *(1) Are less than 27 years of age;*

31 *(2) Are not eligible for coverage under the State Plan for*
32 *Medicaid because of their immigration status; and*

33 *(3) Would otherwise be eligible for Medicaid.*

34 *(b) Apply to the Secretary of Health and Human Services for*
35 *any waiver, amendment of the State Plan for Medicaid or other*
36 *federal authority necessary to provide coverage under Medicaid*
37 *for persons who:*

38 *(1) Qualify for the federal Deferred Action for Childhood*
39 *Arrivals Program established by the memorandum of the*
40 *Secretary of Homeland Security issued on June 15, 2012; and*

41 *(2) Meet the requirements to be eligible for Medicaid,*
42 *except for requirements concerning immigration status.*

43 *(c) Apply to the Secretary of Health and Human Services for*
44 *any federal authority necessary to provide coverage under the*



1 *Children's Health Insurance Program for the costs of prenatal*
2 *care and labor and delivery for persons who:*

3 (1) *Are not eligible for coverage under the State Plan for*
4 *Medicaid because of their immigration status; and*

5 (2) *Would otherwise be eligible for Medicaid.*

6 (d) *Establish a program to provide coverage, to the same*
7 *extent as coverage provided under Medicaid, for postpartum care*
8 *for persons who:*

9 (1) *Are not eligible for coverage under the State Plan for*
10 *Medicaid because of their immigration status; and*

11 (2) *Would otherwise be eligible for Medicaid.*

12 3. *The Department shall:*

13 (a) *Cooperate with the Federal Government in obtaining any*
14 *federal authority pursuant to paragraph (b) or (c) of subsection 2;*

15 (b) *If the Federal Government provides the authority*
16 *necessary to provide the coverage described in paragraphs (b) and*
17 *(c) of subsection 2, take any measures necessary to provide such*
18 *coverage; and*

19 (c) *Implement the provisions of paragraphs (b) and (c) of*
20 *subsection 2 only to the extent authorized by the Federal*
21 *Government.*

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

24 **Sec. 41.** 1. *The Medicaid Outreach Advisory Committee is*
25 *hereby established within the Division of Welfare and Supportive*
26 *Services.*

27 2. *The Advisory Committee consists of such members as are*
28 *appointed by the Administrator. The members appointed by the*
29 *Administrator must be persons with experience conducting*
30 *outreach to persons described in subsection 1 of section 42 of this*
31 *act.*

32 3. *Except as otherwise provided in this section, the members*
33 *of the Advisory Committee must be appointed to terms of 4 years.*
34 *The terms must be staggered in such a manner that, to the extent*
35 *possible, the terms of one-half of the members will expire every 2*
36 *years. The initial members of the Advisory Committee shall, at the*
37 *first meeting of the board after their appointment, draw lots to*
38 *determine which members will initially serve terms of 2 years and*
39 *which will serve terms of 4 years. A member of the Advisory*
40 *Committee may be reappointed.*

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

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



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

13 7. The Division shall provide such administrative support to
14 the Advisory Committee as is necessary to carry out the duties of
15 the Advisory Committee.

16 8. The Advisory Committee shall:

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

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

21 9. A majority of the voting members of the Advisory
22 Committee constitutes a quorum for the transaction of business,
23 and the affirmative vote of a majority of the members of the
24 Advisory Committee is required to take action.

25 **Sec. 42. 1.** The Medicaid Outreach Advisory Committee
26 created by section 41 of this act shall advise the Department, the
27 Division of Health Care Financing and Policy and the Division of
28 Welfare and Supportive Services concerning outreach to, and
29 maximizing enrollment in Medicaid and the Children's Health
30 Insurance Program of, members of marginalized or underserved
31 communities, including, without limitation:

32 (a) Racial and ethnic minorities;

33 (b) Persons who reside in rural areas;

34 (c) Persons with disabilities;

35 (d) Persons with mental illness;

36 (e) Persons with substance use disorders;

37 (f) Persons experiencing homelessness; and

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

40 2. The Advisory Committee shall annually compile a report of
41 its activities and post the report on an Internet website maintained
42 by the Division.

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

44 422A.372 1. The Department shall provide public assistance
45 pursuant to:



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

3 ~~(b) [Medicaid; or~~
4 ~~(c)]~~ Any program for which a grant has been provided to this
5 State pursuant to 42 U.S.C. §§ 1397 et seq.,

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

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

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

14 603A.100 1. The provisions of NRS 603A.010 to 603A.290,
15 inclusive, do not apply to the maintenance or transmittal of
16 information in accordance with NRS 439.581 to 439.595, inclusive,
17 *and section 1 of this act* and the regulations adopted pursuant
18 thereto.

19 2. A data collector who is also an operator, as defined in NRS
20 603A.330, shall comply with the provisions of NRS 603A.300 to
21 603A.360, inclusive.

22 3. Any waiver of the provisions of NRS 603A.010 to
23 603A.290, inclusive, is contrary to public policy, void and
24 unenforceable.

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

26 629.051 1. Except as otherwise provided in this section and
27 in regulations adopted by the State Board of Health pursuant to NRS
28 652.135 with regard to the records of a medical laboratory and
29 unless a longer period is provided by federal law, each custodian of
30 health care records shall retain the health care records of patients as
31 part of the regularly maintained records of the custodian for 5 years
32 after their receipt or production. Health care records may be retained
33 in written form, or by microfilm or any other recognized form of
34 size reduction, including, without limitation, microfiche, computer
35 disc, magnetic tape and optical disc, which does not adversely affect
36 their use for the purposes of NRS 629.061. Health care records
37 ~~[may]~~ :

38 *(a) Must, except as otherwise provided in subsections 5 and 6*
39 *of NRS 439.589, be created, maintained, transmitted and*
40 *exchanged electronically as required by subsection 4 of NRS*
41 *439.589; and*

42 *(b) May* be created, authenticated and stored in a ~~[computer~~
43 ~~system]~~ *health information exchange* which meets the
44 requirements of NRS 439.581 to 439.595, inclusive, *and section 1*
45 *of this act*, and the regulations adopted pursuant thereto.



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

5 3. When a provider of health care performs health care services
6 for a patient for the first time, the provider of health care shall
7 deliver to the patient a written statement which discloses to the
8 patient that the health care records of the patient may be destroyed
9 after the period set forth in subsection 1.

10 4. If a provider of health care fails to deliver the written
11 statement to the patient pursuant to subsection 3, the provider of
12 health care shall deliver to the patient the written statement
13 described in subsection 3 when the provider of health care next
14 performs health care services for the patient.

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

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

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

28 8. *If a health care licensing board receives notification from*
29 *the Department of Health and Human Services pursuant to*
30 *section 1 of this act that a provider of health care to which the*
31 *health care licensing board has issued a license is not in*
32 *compliance with the requirements of subsection 4 of NRS 439.589,*
33 *the health care licensing board may, after notice and the*
34 *opportunity for a hearing in accordance with the provisions of this*
35 *title, require corrective action or impose an administrative penalty*
36 *in an amount not to exceed the maximum penalty that the health*
37 *care licensing board is authorized to impose for other violations.*
38 *The health care licensing board shall not suspend or revoke a*
39 *license for failure to comply with the requirements of subsection 4*
40 *of NRS 439.589.*

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

44 ~~9.~~ 10. The State Board of Health shall adopt:



1 (a) Regulations prescribing the form, size, contents and
2 placement of the signs and written statements required pursuant to
3 this section; and

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

6 ***11. As used in this section:***

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

8 (1) ***A board created pursuant to chapter 630, 630A, 631,***
9 ***632, 633, 634, 634A, 635, 636, 637, 637B, 639, 640, 640A, 640B,***
10 ***640C, 641, 641A, 641B, 641C or 641D of NRS.***

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

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

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

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

18 654.190 1. The Board may, after notice and an opportunity
19 for a hearing as required by law, impose an administrative fine of
20 not more than \$10,000 for each violation on, recover reasonable
21 investigative fees and costs incurred from, suspend, revoke, deny
22 the issuance or renewal of or place conditions on the license of, and
23 place on probation or impose any combination of the foregoing on
24 any licensee who:

25 (a) Is convicted of a felony relating to the practice of
26 administering a nursing facility or residential facility or of any
27 offense involving moral turpitude.

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

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

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

34 (e) Violates any regulation of the Board prescribing additional
35 standards of conduct for licensees, including, without limitation, a
36 code of ethics.

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

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

44 3. The Board may compel the attendance of witnesses or the
45 production of documents or objects by subpoena. The Board may



1 adopt regulations that set forth a procedure pursuant to which the
2 Chair of the Board may issue subpoenas on behalf of the Board.
3 Any person who is subpoenaed pursuant to this subsection may
4 request the Board to modify the terms of the subpoena or grant
5 additional time for compliance.

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

8 5. The expiration of a license by operation of law or by order
9 or decision of the Board or a court, or the voluntary surrender of a
10 license, does not deprive the Board of jurisdiction to proceed with
11 any investigation of, or action or disciplinary proceeding against, the
12 licensee or to render a decision suspending or revoking the license.

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

15 *1. If the Commissioner receives notification from the*
16 *Department of Health and Human Services pursuant to section 1*
17 *of this act that an insurer is not in compliance with the*
18 *requirements of subsection 4 of NRS 439.589, the Commissioner*
19 *may, after notice and the opportunity for a hearing in accordance*
20 *with the provisions of this title, require corrective action or impose*
21 *an administrative fine in the amount prescribed by NRS 680A.200.*

22 *2. The Commissioner shall not suspend or revoke the*
23 *certificate of authority of an insurer for failure to comply with the*
24 *requirements of subsection 4 of NRS 439.589.*

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

26 680A.095 1. Except as otherwise provided in subsection 3,
27 an insurer which is not authorized to transact insurance in this State
28 may not transact reinsurance with a domestic insurer in this State,
29 by mail or otherwise, unless the insurer holds a certificate of
30 authority as a reinsurer in accordance with the provisions of NRS
31 680A.010 to 680A.150, inclusive, 680A.160 to 680A.280, inclusive,
32 *and section 47 of this act*, 680A.320 and 680A.330.

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

37 3. This section does not apply to the joint reinsurance of title
38 insurance risks or to reciprocal insurance authorized pursuant to
39 chapter 694B of NRS.

40 **Sec. 49.** (Deleted by amendment.)

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

43 *1. If the Commissioner receives notification from the*
44 *Department of Health and Human Services pursuant to section 1*
45 *of this act that an administrator is not in compliance with the*



1 *requirements of subsection 4 of NRS 439.589, the Commissioner*
2 *may, after notice and the opportunity for a hearing in accordance*
3 *with the provisions of this chapter, require corrective action or*
4 *impose an administrative fine in the amount prescribed by*
5 *NRS 683A.461.*

6 *2. The Commissioner shall not suspend or revoke the*
7 *certificate of registration of an administrator for failure to comply*
8 *with the requirements of subsection 4 of NRS 439.589.*

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

11 683A.3683 A producer of limited lines travel insurance and
12 each travel retailer, or employee or authorized representative of a
13 travel retailer, who offers or disseminates travel insurance under the
14 license of a producer of limited lines travel insurance shall be
15 subject to the provisions of NRS 683A.451 to 683A.520, inclusive,
16 *and section 50 of this act* and chapter 686A of NRS.

17 **Sec. 52.** NRS 692A.270 is hereby amended to read as follows:
18 692A.270 The provisions of NRS 683A.321, 683A.331,
19 683A.341, 683A.400, 683A.451 to 683A.490, inclusive, *and section*
20 *50 of this act* and 683A.520 apply to title insurers, title agents and
21 escrow officers.

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

24 *1. If the Commissioner receives notification from the*
25 *Department of Health and Human Services pursuant to section 1*
26 *of this act that a health maintenance organization is not in*
27 *compliance with the requirements of subsection 4 of NRS 439.589,*
28 *the Commissioner may, after notice and the opportunity for a*
29 *hearing in accordance with the provisions of this chapter, require*
30 *corrective action or impose an administrative fine in the amount*
31 *prescribed by NRS 695C.350.*

32 *2. The Commissioner shall not suspend or revoke the*
33 *certificate of authority of a health maintenance organization for*
34 *failure to comply with the requirements of subsection 4 of*
35 *NRS 439.589.*

36 **Sec. 54.** (Deleted by amendment.)

37 **Sec. 54.3.** Chapter 695I of NRS is hereby amended by adding
38 thereto a new section to read as follows:

39 *1. The Legislature hereby finds and declares that it is the*
40 *public policy of this State that each natural person who otherwise*
41 *qualifies to purchase a qualified health plan on the Exchange,*
42 *regardless of his or her immigration or citizenship status, is*
43 *eligible to receive the benefits of purchasing a qualified health*
44 *plan on the Exchange.*



1 **2. The Executive Director, in collaboration with the Director**
2 **of the Department of Health and Human Services, shall apply to**
3 **the Secretary of Health and Human Services for a waiver**
4 **pursuant to 42 U.S.C. § 18052 to authorize any natural person to**
5 **purchase a qualified health plan on the Exchange, regardless of**
6 **his or her immigration status, if the natural person would**
7 **otherwise be a qualified individual.**

8 **Sec. 54.6.** NRS 695I.210 is hereby amended to read as
9 follows:

10 695I.210 1. The Exchange shall:

11 (a) Create and administer a health insurance exchange;

12 (b) Facilitate the purchase and sale of qualified health plans
13 consistent with established patterns of care within the State;

14 (c) Provide for the establishment of a program to assist qualified
15 small employers in Nevada in facilitating the enrollment of their
16 employees in qualified health plans offered in the small group
17 market;

18 (d) Except as otherwise authorized by a waiver obtained
19 pursuant to NRS 695I.505 **or section 54.3 of this act**, make only
20 qualified health plans available to qualified individuals and qualified
21 small employers; and

22 (e) Unless the Federal Act is repealed or is held to be
23 unconstitutional or otherwise invalid or unlawful, perform all duties
24 that are required of the Exchange to implement the requirements of
25 the Federal Act.

26 2. The Exchange may:

27 (a) Enter into contracts with any person, including, without
28 limitation, a local government, a political subdivision of a local
29 government and a governmental agency, to assist in carrying out the
30 duties and powers of the Exchange or the Board; and

31 (b) Apply for and accept any gift, donation, bequest, grant or
32 other source of money to carry out the duties and powers of the
33 Exchange or the Board.

34 3. The Exchange is subject to the provisions of chapter 333 of
35 NRS.

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

37 719.200 1. Except as otherwise provided in subsection 2, the
38 provisions of this chapter apply to electronic records and electronic
39 signatures relating to a transaction.

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

42 (a) Except as otherwise specifically provided by law, a law
43 governing the creation and execution of wills, codicils or
44 testamentary trusts;



1 (b) The Uniform Commercial Code other than NRS 104.1306,
2 104.2101 to 104.2725, inclusive, and 104A.2101 to 104A.2532,
3 inclusive; or

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

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

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

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

13 720.140 1. Except as otherwise provided in this subsection,
14 the provisions of this chapter apply to any transaction for which a
15 digital signature is used to sign an electronic record. The provisions
16 of this chapter do not apply to a digital signature that is used to sign
17 an electronic health record in accordance with NRS 439.581 to
18 439.595, inclusive, *and section 1 of this act* and the regulations
19 adopted pursuant thereto.

20 2. As used in this section, "electronic record" has the meaning
21 ascribed to it in NRS 719.090.

22 **Sec. 57.** 1. There is hereby appropriated from the State
23 General Fund to the Department of Health and Human Services the
24 sum of \$3,000,000 for the purpose of awarding grants to providers
25 of health care and facilities licensed pursuant to chapter 449 of NRS
26 for the purposes of complying with the requirements of subsection 4
27 of NRS 439.589, as amended by section 6 of this act, and paragraph
28 (a) of subsection 1 of NRS 629.051, as amended by section 45 of
29 this act. To receive such a grant, a provider of health care or facility
30 must:

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

33 (b) Be located in a county whose population is less than
34 100,000, a health professional shortage area or an area with a
35 medically underserved population in this State, or work in such a
36 county or area, as applicable.

37 2. Any remaining balance of the appropriation made by
38 subsection 1 must not be committed for expenditure after June 30,
39 2025, by the entity to which the appropriation is made or any entity
40 to which money from the appropriation is granted or otherwise
41 transferred in any manner, and any portion of the appropriated
42 money remaining must not be spent for any purpose after
43 September 19, 2025, by either the entity to which the money was
44 appropriated or the entity to which the money was subsequently



1 granted or transferred, and must be reverted to the State General
2 Fund on or before September 19, 2025.

3 3. As used in this section:

4 (a) "Area with a medically underserved population" means an
5 area designated as such by the United States Secretary of Health and
6 Human Services pursuant to 42 U.S.C. § 254c; and

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

10 (c) "Provider of health care" has the meaning ascribe to it in
11 NRS 629.031.

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

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

16 (1) Remote patient monitoring;

17 (2) Health products that use artificial intelligence;

18 (3) Digital therapeutics; and

19 (4) Health information technology;

20 (b) Procedures for providing the coverage described in
21 paragraph (a), including, without limitation, procedures and criteria
22 for determining whether a digital health product is suitable for
23 coverage;

24 (c) Any waivers of federal law necessary to obtain federal
25 financial participation in the provision of the coverage described in
26 paragraph (a); and

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

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

34 3. As used in this section, "digital therapeutic" means a
35 product, device, Internet application or other technology that uses
36 software primarily to prevent, manage or treat a medical condition,
37 disease or disorder.

38 **Sec. 58.5.** 1. During the 2023-2024 interim, the Joint Interim
39 Standing Committee on Health and Human Services shall study:

40 (a) The feasibility of creating a natural persons index for this
41 State and the steps necessary to create such an index. The study
42 must include, without limitation, an analysis of the capabilities of
43 providers of health care in this State concerning the exchange of
44 health information.



1 (b) Procedures governing data registries and ways to streamline
2 the collection of data and reduce the burden of reporting
3 requirements applicable to providers of health care to improve
4 collaboration between providers of health care and public health
5 agencies in this State.

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

11 3. As used in this section:

12 (a) "Data registry" includes, without limitation:

13 (1) The system for the reporting of information on sickle cell
14 disease and its variants established pursuant to NRS 439.4976.

15 (2) The system for the reporting of information on lupus and
16 its variants established pursuant to NRS 439.4929.

17 (3) The system for the reporting of information on cancer
18 and other neoplasms established pursuant to NRS 457.230.

19 (b) "Natural persons index" means a database of health
20 information concerning natural persons who reside in this State to
21 be used by providers of health care and public health agencies in
22 this State to maintain and access accurate health information
23 concerning such natural persons.

24 (c) "Provider of health care" means:

25 (1) A medical facility licensed pursuant to chapter 449 of
26 NRS;

27 (2) The holder of a permit to operate an ambulance, an air
28 ambulance or a vehicle of a fire-fighting agency pursuant to chapter
29 450B of NRS; or

30 (3) A provider of health care, as defined in NRS 629.031,
31 who is licensed pursuant to title 54 of NRS.

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

34 (a) Evaluate the workforce of the Department, including,
35 without limitation, each division thereof, and determine, for each
36 position, whether adding, eliminating, reclassifying or revising the
37 salary for any position within the Department would increase the
38 effectiveness or efficiency of the operations of the Department and
39 its divisions; and

40 (b) Take any action recommended by the evaluation conducted
41 pursuant to paragraph (a) that does not require legislation unless the
42 Director of the Department determines that such action is not
43 feasible or advisable.

44 2. On or before February 1, 2025, the Department of Health
45 and Human Services shall submit to the Director of the Legislative



1 Counsel Bureau for transmittal to the 83rd Session of the
2 Legislature a report of:

3 (a) The results of the evaluation conducted pursuant to
4 paragraph (a) of subsection 1;

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

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

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

14 **Sec. 60.** 1. On or before July 1, 2023, the Director of the
15 Department shall convene an advisory group to advise the Director
16 of the Department in the adoption of regulations pursuant to NRS
17 439.589, as amended by section 6 of this act. The advisory group
18 shall consist of:

19 (a) The following ex officio members:

20 (1) The Director of the Department;

21 (2) The Administrator of the Division of Public and
22 Behavioral Health of the Department;

23 (3) The Administrator of the Division of Health Care
24 Financing and Policy of the Department;

25 (4) The Administrator of the Division of Welfare and
26 Supportive Services of the Department;

27 (5) The Commissioner of Insurance;

28 (6) Each district health officer appointed pursuant to NRS
29 439.368 or 439.400;

30 (7) The Executive Officer of the Public Employees' Benefits
31 Program; and

32 (8) The Executive Director of the Silver State Health
33 Insurance Exchange; and

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

35 (1) Representatives of third parties, as defined in NRS
36 439.589, as amended by section 6 of this act, that provide health
37 coverage in this State;

38 (2) Representatives of hospitals, as defined in NRS 449.012,
39 other medical facilities, as defined in NRS 449.0151, and facilities
40 for the dependent, as defined in NRS 449.0045;

41 (3) Representatives of consumers of health care;

42 (4) Representatives of labor organizations;

43 (5) Professionals in the field of information privacy and
44 security;



1 (6) Professionals in the field of health information
2 technology;

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

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

6 (9) Representatives of social services agencies; and

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

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

13 3. Members of the advisory group serve without compensation
14 or per diem but are entitled to receive reimbursement for travel
15 expenses in the same amount provided for state officers and
16 employees generally.

17 4. The Director of the Department shall serve as the Chair of
18 the advisory group.

19 5. A majority of the voting members of the advisory group
20 constitutes a quorum for the transaction of business, and a majority
21 of the members of a quorum present at any meeting is sufficient for
22 any official action taken by the advisory group.

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

34 7. The advisory group may establish subcommittees and
35 working groups consisting of members of the advisory group or
36 other persons to assist the advisory group in the performance of its
37 duties.

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

41 9. The Department shall:

42 (a) On or before August 1, 2024, present at a meeting of the
43 Joint Interim Standing Committee on Health and Human Services
44 concerning the progress of the Department in developing and



1 implementing the regulations adopted pursuant to NRS 439.589, as
2 amended by section 6 of this act; and

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

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

10 **Sec. 61.** (Deleted by amendment.)

11 **Sec. 62.** 1. Notwithstanding the amendatory provisions of
12 section 4.5 of this act, if the Director of the Department of Health
13 and Human Services has contracted with a health information
14 exchange to serve as the statewide health information exchange
15 pursuant to subsection 2 of NRS 439.587, as that section exists on
16 June 30, 2025, and that contract is effective on July 1, 2025, the
17 contract remains valid until the expiration of the contract but may
18 not be renewed.

19 2. As used in this section, "health information exchange" has
20 the meaning ascribed to it in NRS 439.584.

21 **Sec. 63.** 1. Notwithstanding the amendatory provisions of
22 sections 1, 6, 9 and 45 of this act, persons and entities subject to the
23 provisions of subsection 4 of NRS 439.589, as amended by section
24 6 of this act, other than hospitals and physician group practices, are
25 not required to comply with those provisions until July 1, 2025.

26 2. As used in this section:

27 (a) "Hospital" has the meaning ascribed to it in NRS 449.012.

28 (b) "Physician group practice" means any business entity
29 organized for the purpose of the practice of medicine or osteopathic
30 medicine by more than one physician.

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

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

37 **Sec. 66.** The Legislature hereby finds that each abatement
38 provided by this act from any ad valorem tax on property or excise
39 tax on the sale, storage, use or other consumption of tangible
40 personal property sold at retail:

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



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

5 **Sec. 67.** 1. This section and sections 7 and 8 of this act
6 become effective upon passage and approval.

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

9 3. Sections 21 to 27, inclusive, 39, 43, 54.3, 54.6 and 61 of this
10 act become effective:

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

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

15 4. Sections 1 to 4, inclusive, 5, 6, 9 to 16, inclusive, 44, 45, 46,
16 55, 56 and 63 of this act become effective:

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

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

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

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

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

27 6. Sections 4.5 and 62 of this act become effective on July 1,
28 2025.

29 7. Sections 31 to 38, inclusive, of this act expire by limitation
30 on July 1, 2053.

31 8. Section 60 of this act expires by limitation on January 1,
32 2025.

