

SENATE BILL NO. 171—SENATOR OHRENSCHALL

PREFILED FEBRUARY 3, 2025

Referred to Committee on Commerce and Labor

SUMMARY—Enacts a shield law to protect the transgender community. (BDR 54-12)

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

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

AN ACT relating to health care; prohibiting health care licensing boards from disqualifying from licensure or disciplining a person for providing or assisting in the provision of medically necessary gender-affirming health care services; prohibiting in certain circumstances the Governor from extraditing a person who is charged with a crime in another state related to medically necessary gender-affirming health care services; prohibiting state agencies from assisting in certain investigations and proceedings initiated in other states related to medically necessary gender-affirming health care services; requiring certain health care licensing boards to examine the feasibility of reciprocal licensure for health care providers who provide gender-affirming health care services in other states; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

- 1 Existing law regulates the licensing, certification and registration of various
- 2 providers of health care in this State. (Chapters 630-637B and 639-641D of NRS)
- 3 Existing law prohibits a health care licensing board from disqualifying from
- 4 licensure or subjecting a person to discipline solely: (1) for providing reproductive
- 5 health care services that are lawful and consistent with the practice of the relevant
- 6 profession in this State; or (2) as a consequence of certain adverse actions
- 7 threatened or imposed in another jurisdiction for the provision of such reproductive
- 8 health care services. (NRS 629.250) **Section 1** of this bill additionally prohibits a
- 9 health care licensing board from taking similar actions against a person for
- 10 providing or assisting in the provision of medically necessary gender-affirming
- 11 health care services that are lawful in this State. **Section 4** of this bill requires each



12 health care licensing board that licenses providers of health care who provide
13 gender-affirming health care services to examine the feasibility of providing
14 reciprocal licensing to providers of health care in other states to facilitate the
15 provision of gender-affirming health care services to persons from other states who
16 seek such medically necessary services in this State.

17 In accordance with the Extradition Clause of Section 2 of Article IV of the
18 United States Constitution, existing state law requires the Governor to extradite to
19 another state any person charged in that state with a crime, who is found in this
20 State. (NRS 179.181) Under existing law, the Governor is also authorized, but not
21 required, to extradite to another state any person in this State charged in the other
22 state with committing an act in this State intentionally resulting in a crime in the
23 state demanding extradition. (NRS 179.189) Existing law, with certain exceptions,
24 prohibits the Governor from extraditing any person in this State who is charged
25 with a crime in another state if the crime alleged involves the provision or receipt of
26 or assistance with reproductive health care services. (NRS 179.540) **Section 2**
27 of this bill similarly prohibits the Governor from extraditing a person in this State who
28 is charged with a crime in another state if the crime involves the provision or
29 receipt of or assistance with medically necessary gender-affirming health care
30 services, unless the crime charged in the other state would also be a crime in this
31 State. **Section 2**, as an exception to this prohibition, authorizes the extradition of a
32 person who was physically present in the other state at the time of the commission
33 of the alleged offense.

34 Existing law prohibits a state agency from providing any information or
35 expending or using any resources in furtherance of any investigation or proceeding
36 initiated in or by another state that seeks to impose civil or criminal liability or
37 professional sanction on a person or entity for providing, securing, receiving,
38 making an inquiry concerning or providing certain assistance concerning
39 reproductive health care services that are legal in this State, except under certain
40 limited circumstances. (NRS 232.0088) **Section 3** of this bill prohibits state
41 agencies in the Executive Department of the State Government from providing
42 information or expending any resources of the State in furtherance of such an
43 investigation or proceeding concerning medically necessary gender-affirming
44 health care services, except under certain limited circumstances.

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

1 **Section 1.** Chapter 629 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 ***1. A health care licensing board shall not disqualify a person***
4 ***from licensure or subject any person to discipline solely:***

5 ***(a) For providing or assisting in the provision of medically***
6 ***necessary gender-affirming health care services; or***

7 ***(b) As a consequence of any judgment, discipline or other***
8 ***sanction threatened or imposed under the laws of the District of***
9 ***Columbia or any state or territory of the United States for***
10 ***providing or assisting in the provision of medically necessary***
11 ***gender-affirming health care services,***

12 ***↪ if the gender-affirming health care services were provided with***
13 ***parental consent, unless the minor would have been expressly***



1 *authorized to consent to the services under the laws of this State,*
2 *and the services, as provided, would have been lawful in this State.*

3 2. *As used in this section:*

4 (a) *“Gender-affirming health care services”:*

5 (1) *Means medical, surgical, counseling or referral services*
6 *that respect the gender identity or expression of the patient and*
7 *are found by a competent medical professional to be appropriate*
8 *based upon the wishes of a patient and in accordance with the*
9 *laws of this State, including, without limitation:*

10 (I) *Interventions to suppress the development of*
11 *endogenous secondary sex characteristics;*

12 (II) *Interventions to align the appearance or physical*
13 *body of the patient with the gender identity or expression of the*
14 *patient;*

15 (III) *Interventions to alleviate symptoms of clinically*
16 *significant distress resulting from gender dysphoria, as defined in*
17 *the most recent edition of the Diagnostic and Statistical Manual of*
18 *Mental Disorders published by the American Psychiatric*
19 *Association; and*

20 (IV) *Developmentally appropriate exploration and*
21 *integration of identity, reduction of distress, adaptive coping and*
22 *strategies to increase family acceptance.*

23 (2) *Does not include conversion therapy, as defined in*
24 *NRS 629.600.*

25 (b) *“Health care licensing board” means:*

26 (1) *A board created pursuant to chapter 630, 630A, 631,*
27 *632, 633, 634, 634A, 634B, 635, 636, 637, 637B, 639, 640, 640A,*
28 *640B, 640C, 640D, 640E, 641, 641A, 641B, 641C or 641D of NRS.*

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

31 (c) *“Medically necessary” means health care services or*
32 *products that a prudent provider of health care would provide to a*
33 *patient to prevent, diagnose or treat an illness, injury or disease, or*
34 *any symptoms thereof, that are necessary and:*

35 (1) *Provided in accordance with generally accepted*
36 *standards of medical practice;*

37 (2) *Clinically appropriate with regard to type, frequency,*
38 *extent, location and duration;*

39 (3) *Not provided primarily for the convenience of the*
40 *patient or provider of health care;*

41 (4) *Required to improve a specific health condition of a*
42 *patient or to preserve the existing state of health of the patient;*
43 *and*

44 (5) *The most clinically appropriate level of health care that*
45 *may be safely provided to the patient.*



1 ↳ *A provider of health care prescribing, ordering, recommending*
2 *or approving a health care service or product does not, by itself,*
3 *make that health care service or product medically necessary.*

4 **Sec. 2.** Chapter 179 of NRS is hereby amended by adding
5 thereto a new section to read as follows:

6 1. *Notwithstanding the provisions of NRS 179.177 to 179.235,*
7 *inclusive, the Governor shall not surrender, or issue a warrant*
8 *pursuant to NRS 179.191 for the arrest of, any person in this State*
9 *who is charged in another state with a criminal violation of the*
10 *laws of that other state if the violation alleged involves the*
11 *provision or receipt of or assistance with medically necessary*
12 *gender-affirming health care services, unless the acts forming the*
13 *basis of the prosecution of the crime charged would constitute a*
14 *criminal offense under the laws of the State of Nevada.*

15 2. *The provisions of this section do not apply in the*
16 *circumstance where a demand for the extradition of a person*
17 *charged with a crime in another state is made in accordance with*
18 *NRS 179.183, and the person who is the subject of the demand*
19 *was physically present in the demanding state at the time of the*
20 *commission of the alleged offense and thereafter fled from that*
21 *state.*

22 3. *The provisions of this section shall not be construed to*
23 *apply to the provision of medically necessary gender-affirming*
24 *health care services without parental consent unless the minor is*
25 *authorized to consent to those services under the laws of this State.*

26 4. *As used in this section:*

27 (a) *“Gender-affirming health care services”:*

28 (i) *Means medical, surgical, counseling or referral services*
29 *that respect the gender identity or expression of the patient and*
30 *are found by a competent medical professional to be appropriate*
31 *based upon the wishes of a patient and in accordance with the*
32 *laws of this State, including, without limitation:*

33 (I) *Interventions to suppress the development of*
34 *endogenous secondary sex characteristics;*

35 (II) *Interventions to align the appearance or physical*
36 *body of the patient with the gender identity or expression of the*
37 *patient;*

38 (III) *Interventions to alleviate symptoms of clinically*
39 *significant distress resulting from gender dysphoria, as defined in*
40 *the most recent edition of the Diagnostic and Statistical Manual of*
41 *Mental Disorders published by the American Psychiatric*
42 *Association; and*

43 (IV) *Developmentally appropriate exploration and*
44 *integration of identity, reduction of distress, adaptive coping and*
45 *strategies to increase family acceptance.*



1 (2) Does not include conversion therapy, as defined in
2 NRS 629.600.

3 (b) "Medically necessary" means health care services or
4 products that a prudent provider of health care would provide to a
5 patient to prevent, diagnose or treat an illness, injury or disease, or
6 any symptoms thereof, that are necessary and:

7 (1) Provided in accordance with generally accepted
8 standards of medical practice;

9 (2) Clinically appropriate with regard to type, frequency,
10 extent, location and duration;

11 (3) Not provided primarily for the convenience of the
12 patient or provider of health care;

13 (4) Required to improve a specific health condition of a
14 patient or to preserve the existing state of health of the patient;
15 and

16 (5) The most clinically appropriate level of health care that
17 may be safely provided to the patient.

18 ↪ A provider of health care prescribing, ordering, recommending
19 or approving a health care service or product does not, by itself,
20 make that health care service or product medically necessary.

21 (c) "Provider of health care" has the meaning ascribed to it in
22 NRS 629.031.

23 (d) The words and terms defined in NRS 179.179 have the
24 meanings ascribed to them in that section.

25 **Sec. 3.** Chapter 232 of NRS is hereby amended by adding
26 thereto a new section to read as follows:

27 1. Except as otherwise required by the order of a court of
28 competent jurisdiction, a state agency shall not provide any
29 information or expend or use time, money, facilities, property,
30 equipment, personnel or other resources of the State in
31 furtherance of any investigation or proceeding initiated in or by
32 another state that seeks to impose civil or criminal liability or
33 professional sanction upon a person or entity for:

34 (a) The provision, securing or receiving of, or any inquiry
35 concerning, medically necessary gender-affirming health care
36 services that are legal in this State; or

37 (b) Any assistance given to any person or entity that relates to
38 the provision, securing or receiving of, or any inquiry concerning,
39 medically necessary gender-affirming health care services that are
40 legal in this State.

41 2. The provisions of subsection 1 do not apply to any
42 investigation or proceeding where the conduct that is subject to
43 potential liability under the investigation or proceeding initiated in
44 or by the other state would be subject to civil or criminal liability



1 or professional sanction under the laws of the State of Nevada, if
2 committed in this State.

3 3. Notwithstanding the provisions of this section, a state
4 agency or an employee, appointee, officer or other person acting
5 on behalf of a state agency may provide information or assistance
6 in connection with such an investigation or proceeding in
7 response to a written request by the person who is the subject of
8 the investigation or proceeding.

9 4. The provisions of this section shall not be construed to
10 apply to the provision, securing or receipt of medically necessary
11 gender-affirming health care services without parental consent,
12 unless the minor is authorized to consent to those services under
13 the laws of this State.

14 5. As used in this section:

15 (a) "Gender-affirming health care services":

16 (1) Means medical, surgical, counseling or referral services
17 that respect the gender identity or expression of the patient and
18 are found by a competent medical professional to be appropriate
19 based upon the wishes of a patient and in accordance with the
20 laws of this State, including, without limitation:

21 (I) Interventions to suppress the development of
22 endogenous secondary sex characteristics;

23 (II) Interventions to align the appearance or physical
24 body of the patient with the gender identity or expression of the
25 patient;

26 (III) Interventions to alleviate symptoms of clinically
27 significant distress resulting from gender dysphoria, as defined in
28 the most recent edition of the Diagnostic and Statistical Manual of
29 Mental Disorders published by the American Psychiatric
30 Association; and

31 (IV) Developmentally appropriate exploration and
32 integration of identity, reduction of distress, adaptive coping and
33 strategies to increase family acceptance.

34 (2) Does not include conversion therapy, as defined in
35 NRS 629.600.

36 (b) "Medically necessary" means health care services or
37 products that a prudent provider of health care would provide to a
38 patient to prevent, diagnose or treat an illness, injury or disease, or
39 any symptoms thereof, that are necessary and:

40 (1) Provided in accordance with generally accepted
41 standards of medical practice;

42 (2) Clinically appropriate with regard to type, frequency,
43 extent, location and duration;

44 (3) Not provided primarily for the convenience of the
45 patient or provider of health care;



1 (4) *Required to improve a specific health condition of a*
2 *patient or to preserve the existing state of health of the patient;*
3 *and*

4 (5) *The most clinically appropriate level of health care that*
5 *may be safely provided to the patient.*

6 ↳ *A provider of health care prescribing, ordering, recommending*
7 *or approving a health care service or product does not, by itself,*
8 *make that health care service or product medically necessary.*

9 (c) *“Provider of health care” has the meaning ascribed to it in*
10 *NRS 629.031.*

11 (d) *“State agency” means an agency, bureau, board,*
12 *commission, department, division, officer, employee, appointee or*
13 *agent or any other unit of the Executive Department of the State*
14 *Government.*

15 **Sec. 4.** 1. Each health care licensing board that licenses
16 providers of health care who provide gender-affirming health care
17 services shall examine the feasibility of providing opportunities for
18 reciprocity of licensure to providers of health care who provide
19 gender-affirming health care services in other states to facilitate the
20 provision of quality gender-affirming health care services to persons
21 from other states who seek medically necessary gender-affirming
22 health care services in this State.

23 2. As used in this section:

24 (a) *“Gender-affirming health care services” has the meaning*
25 *ascribed to it in section 1 of this act.*

26 (b) *“Health care licensing board” has the meaning ascribed to it*
27 *in section 1 of this act.*

28 (c) *“Medically necessary” has the meaning ascribed to it in*
29 *section 1 of this act.*

30 (d) *“Provider of health care” has the meaning ascribed to it in*
31 *NRS 629.031.*

32 **Sec. 5.** This act becomes effective upon passage and approval.



