

ASSEMBLY BILL NO. 250—COMMITTEE ON HEALTH AND HUMAN SERVICES

(ON BEHALF OF AGING SERVICES DIVISION)

FEBRUARY 16, 1999

Referred to Committee on Health and Human Services

SUMMARY—Revises provisions governing duties of specialist for rights of elderly persons within aging services division of department of human resources. (BDR 38-634)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

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

AN ACT relating to elderly persons; revising the provisions governing the duties of the specialist for the rights of elderly persons within the aging services division of the department of human resources; and providing other matters properly relating thereto.

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

Section 1. Chapter 427A of NRS is hereby amended by adding thereto a new section to read as follows:

As used in NRS 427A.123 to 427A.1236, inclusive, unless the context otherwise requires, “elderly person” means a person who is 60 years of age or older.

Sec. 2. NRS 427A.1234 is hereby amended to read as follows:

427A.1234 ***1. The specialist for the rights of elderly persons shall:***

(a) Provide advocacy and education relating to the legal rights of elderly persons and shall facilitate the development of legal services to assist elderly persons in securing and maintaining their legal rights.

(b) Provide, upon request, technical assistance, training and other support relating to the legal rights of elderly persons to:

(1) An attorney who is providing legal services for an elderly person;

(2) An employee of a law enforcement agency;

- 1 (3) *An advocate for residents of facilities for long-term care;*
- 2 (4) *An employee of an office for protective services of any county;*
- 3 and
- 4 (5) *An employee of the division.*
- 5 (c) *Review existing and proposed policies, legislation and regulations*
- 6 *that affect elderly persons, and make recommendations as appropriate to*
- 7 *the administrator.*
- 8 (d) *Review and analyze information relating to the nature and extent*
- 9 *of abuse, neglect, exploitation and isolation of elderly persons to identify*
- 10 *services that need to be provided, including, without limitation:*
- 11 (1) *Methods of intervening on behalf of an elderly person to protect*
- 12 *the elderly person from abuse, neglect, exploitation or isolation; and*
- 13 (2) *Enforcing the laws of this state governing abuse, neglect,*
- 14 *exploitation and isolation of elderly persons.*
- 15 2. The specialist for the rights of elderly persons may:
- 16 ~~[1.]~~ (a) Have access to, inspect, copy and subpoena all records in the
- 17 possession of any clerk of a court, law enforcement agency or public or
- 18 private institution, wherever situated, that relate to the abuse, ~~[exploitation~~
- 19 ~~or]~~, neglect, *exploitation or isolation* of an elderly person.
- 20 ~~[2.]~~ (b) Have access to all written records in the possession of any
- 21 person, government, governmental agency or political subdivision of a
- 22 government that relate to the abuse, ~~[or]~~ neglect, *exploitation or isolation*
- 23 of an elderly person.
- 24 ~~[3.]~~ (c) Represent and assist any incompetent person until a guardian is
- 25 appointed for that person.
- 26 ~~[4.]~~ (d) *Use the information obtained pursuant to paragraphs (a) and*
- 27 *(b) to resolve complaints relating to the abuse, neglect, exploitation or*
- 28 *isolation of an elderly person.*
- 29 (e) *Develop services relating to financial management for an elderly*
- 30 *person who is at risk of having a guardian or conservator appointed by a*
- 31 *court to manage his property.*
- 32 (f) *Appear as amicus curiae on behalf of elderly persons in any court*
- 33 *in this state.*
- 34 (g) Perform such other functions as are necessary to carry out his duties
- 35 and the functions of his office.
- 36 Sec. 3. This act becomes effective upon passage and approval.