
SENATE BILL NO. 137—COMMITTEE ON HUMAN RESOURCES AND FACILITIES

FEBRUARY 5, 1999

Referred to Committee on Legislative Affairs and Operations

SUMMARY—Requires impact report to be prepared for certain legislative measures relating to licensing or regulation of providers of health care. (BDR 17-804)

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 ~~omitted material~~ is material to be omitted.

AN ACT relating to legislation; requiring an impact report to be prepared for certain legislative measures relating to the licensing or regulation of providers of health care; and providing other matters properly relating thereto.

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

- 1 **Section 1.** Chapter 218 of NRS is hereby amended by adding thereto a
2 new section to read as follows:
3 ***1. A legislative measure that proposes to:***
4 ***(a) Create a licensing or registration program for a group of providers***
5 ***of health care must have attached to it an impact report as provided in***
6 ***subsection 2.***
7 ***(b) Change the scope of practice of a group of providers of health care***
8 ***licensed or registered by this state must have attached to it an impact***
9 ***report as provided in subsection 3.***
10 ***2. The impact report required pursuant to paragraph (a) of***
11 ***subsection 1 must:***
12 ***(a) Describe the proposed licensing or registration program;***
13 ***(b) Assess the reasons for and impact of the proposed program;***
14 ***(c) Identify the education or training required to obtain a license or***
15 ***become registered pursuant to the proposed program;***
16 ***(d) Identify attorney general opinions and reported court opinions***
17 ***relevant to the group of providers of health care to be licensed or***
18 ***registered pursuant to the proposed program;***

1 (e) Describe how the proposed program will affect the cost, quality
2 and availability of or access to the services provided by the group of
3 providers of health care;

4 (f) State whether the group of providers of health care to be licensed
5 or registered pursuant to the proposed program will duplicate services
6 provided by another licensed or registered group of providers of health
7 care;

8 (g) Describe how the proposed program will affect competition among
9 providers of health care; and

10 (h) Describe how the proposed program will affect the health, safety
11 and welfare of the public.

12 3. The impact report required pursuant to paragraph (b) of
13 subsection 1 must:

14 (a) Describe the proposed change to the scope of practice of the group
15 of providers of health care;

16 (b) Assess the reasons for and impact of the proposed change;

17 (c) Identify the current education and training requirements for the
18 group of providers of health care and any change in those requirements
19 that justifies the proposed change to the scope of practice;

20 (d) State whether the group of health care providers is or will be able
21 to perform safely the services proposed to be part of the scope of practice;

22 (e) Identify attorney general opinions and reported court opinions
23 relevant to the proposed change to the scope of practice;

24 (f) Describe how the change will affect the cost, quality and
25 availability of or access to the services provided by the group of health
26 care providers;

27 (g) State whether the proposed change will duplicate services provided
28 by another licensed or registered group of health care providers;

29 (h) Describe how the proposed change will affect competition among
30 providers of health care; and

31 (i) Describe how the proposed change will affect the health, safety and
32 welfare of the public.

33 4. For each legislative measure that requires an impact report
34 pursuant to subsection 1, the research division of the legislative counsel
35 bureau shall prepare an initial draft of the impact report and submit that
36 draft to the legislative committee on health care created pursuant to NRS
37 439B.200.

38 5. Upon the request of the research division, all officers and
39 employees of the state or of a political subdivision of this state shall
40 provide or make available to the research division all their books, papers,
41 information and records under their control necessary or convenient for
42 the preparation of the impact report by the research division pursuant to

1 *subsection 4. Notwithstanding the provisions of any other specific statute,*
2 *the information requested by the research division may include*
3 *information considered confidential for other purposes.*

4 *6. Upon receipt of the initial draft of an impact report submitted*
5 *pursuant to subsection 4, the legislative committee on health care shall:*

6 *(a) Distribute a copy of the impact report to each person who requests*
7 *such a copy;*

8 *(b) Hold a meeting to consider the impact report and comments from*
9 *the public;*

10 *(c) After considering all comments from the public, revise the impact*
11 *report as appropriate; and*

12 *(d) Transmit the final version of the impact report to the director of*
13 *the legislative counsel bureau for attachment to the legislative measure*
14 *related to the impact report.*

15 *7. A legislative measure for which an impact report is required*
16 *pursuant to subsection 1 must have attached to it the final version of the*
17 *impact report prepared pursuant to subsections 4, 5 and 6:*

18 *(a) Before a legislative committee may consider the legislative*
19 *measure;*

20 *(b) Before the Senate or Assembly may consider the legislative*
21 *measure on the floor of the house;*

22 *(c) Throughout the legislative process; and*

23 *(d) When the legislative measure is delivered to the governor for*
24 *approval.*

25 **Sec. 2.** NRS 218.735 is hereby amended to read as follows:

26 218.735 The research division shall:

27 1. Provide to the legislature and the members and committees thereof,
28 research, information and assistance concerning public policy, including,
29 but not limited to, proposed or possible legislation, and national, state and
30 local issues of interest to the State of Nevada and its political subdivisions.

31 2. Provide necessary personnel to standing and interim committees as
32 assigned by the director, the legislature or the legislative commission.

33 3. Provide the legislature and its members and committees with
34 comprehensive accurate reports and background information on subjects of
35 legislative interest.

36 4. Analyze, compare and evaluate the programs and statutory
37 provisions of the State of Nevada and other states, upon request of a
38 member or committee of the legislature.

39 5. Advise the legislature and its members and committees regarding
40 matters relating to the resources and procedures necessary to conduct
41 research.

42 6. Prepare publications relating to the legislature and the legislative
43 counsel bureau.

1 7. Maintain the library of the legislative counsel bureau.

2 8. Provide information and assistance to the legislature and the
3 members and committees thereof concerning the apportionment of
4 legislative districts and any other political districts the boundaries of which
5 are determined by the legislature.

6 9. ***Prepare impact reports pursuant to section 1 of this act.***

7 10. Perform such other functions as may be assigned by the legislature,
8 the legislative commission or the director of the legislative counsel bureau.

9 **Sec. 3.** NRS 439B.220 is hereby amended to read as follows:

10 439B.220 **1. *The committee shall promptly review each impact***
11 ***report received by the committee pursuant to section 1 of this act.***

12 2. The committee may:

13 ~~{1-}~~ (a) Review and evaluate the quality and effectiveness of programs
14 for the prevention of illness.

15 ~~{2-}~~ (b) Review and compare the costs of medical care among
16 communities in Nevada with similar communities in other states.

17 ~~{3-}~~ (c) Analyze the overall system of medical care in ~~{the}~~ **this** state to
18 determine ways to coordinate the providing of services to all members of
19 society, avoid the duplication of services and achieve the most efficient use
20 of all available resources.

21 ~~{4-}~~ (d) Examine the business of providing insurance, including the
22 development of cooperation with health maintenance organizations and
23 organizations ~~{which}~~ **that** restrict the performance of medical services to
24 certain physicians and hospitals, and procedures to contain the costs of
25 these services.

26 ~~{5-}~~ (e) Examine hospitals to:

27 ~~{a)}~~ (1) Increase cooperation among hospitals;

28 ~~{b)}~~ (2) Increase the use of regional medical centers; and

29 ~~{c)}~~ (3) Encourage hospitals to use medical procedures ~~{which}~~ **that** do
30 not require the patient to be admitted to the hospital and to use the resulting
31 extra space in alternative ways.

32 ~~{6-}~~ (f) Examine medical malpractice.

33 ~~{7-}~~ (g) Examine the system of education to coordinate:

34 ~~{a)}~~ (1) Programs in health education, including those for the
35 prevention of illness and those which teach the best use of available
36 medical services; and

37 ~~{b)}~~ (2) The education of those who provide medical care.

38 ~~{8-}~~ (h) Review competitive mechanisms to aid in the reduction of the
39 costs of medical care.

40 ~~{9-}~~ (i) Examine the problem of providing and paying for medical care
41 for indigent and medically indigent persons, including medical care
42 provided by physicians.

- 1 ~~{10.}~~ **(j)** Examine the effectiveness of any legislation enacted to
2 accomplish the purpose of restraining the costs of health care while
3 ensuring the quality of services, and its effect on the subjects listed in
4 ~~{subsections 1 to 9, inclusive.~~
5 ~~—11.}~~ **paragraphs (a) to (i), inclusive.**
6 **(k)** Determine whether regulation by the state will be necessary in the
7 future by examining hospitals for evidence of:
8 ~~{(a)}~~ **(1)** Degradation or discontinuation of services previously offered,
9 including , without limitation, neonatal care, pulmonary services and
10 pathology services; or
11 ~~{(b)}~~ **(2)** A change in the policy of the hospital concerning contracts,
12 as a result of any legislation enacted to accomplish the purpose of
13 restraining the costs of health care while ensuring the quality of services.
14 ~~{12.}~~ **(l)** Study the effect of the acuity of the care provided by a hospital
15 upon the revenues of hospital and upon limitations upon that revenue.
16 ~~{13.}~~ **(m)** Review the actions of the director in administering the
17 provisions of this chapter and adopting regulations pursuant to those
18 provisions. The director shall report to the committee concerning any
19 regulations proposed or adopted pursuant to this chapter.
20 ~~{14.}~~ **(n)** Conduct investigations and hold hearings in connection with
21 its review and analysis.
22 ~~{15.}~~ **(o)** Apply for any available grants and accept any gifts, grants or
23 donations to aid the committee in carrying out its duties pursuant to this
24 chapter.
25 ~~{16.}~~ **(p)** Direct the legislative counsel bureau to assist in its research,
26 investigations, review and analysis.
27 ~~{17.}~~ **(q)** Recommend to the legislature as a result of its review any
28 appropriate legislation.