

ASSEMBLY BILL NO. 636—COMMITTEE ON HEALTH AND HUMAN SERVICES

MARCH 26, 2001

Referred to Committee on Health and Human Services

SUMMARY—Makes various changes to provisions governing admission of allegedly mentally ill person to mental health facility. (BDR 39-1077)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: Contains Appropriation not included in Executive Budget.

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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 mental health; authorizing an ambulance service to transport an allegedly mentally ill person to a mental health facility at the request of the proper authority; authorizing an advanced practitioner of nursing to conduct the medical examination required for the emergency admission of an allegedly mentally ill person to a mental health facility; making an appropriation; 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.** NRS 433A.160 is hereby amended to read as follows:  
2     433A.160 1. Application for an emergency admission of an allegedly  
3     mentally ill person for evaluation and observation may only be made by an  
4     accredited agent of the department, an officer authorized to make arrests in  
5     the State of Nevada or a physician, psychologist, marriage and family  
6     therapist, social worker or registered nurse. The agent, officer, physician,  
7     psychologist, marriage and family therapist, social worker or registered  
8     nurse may take an allegedly mentally ill person into custody without a  
9     warrant to apply for emergency admission for evaluation, observation and  
10    treatment under NRS 433A.150 and may ~~transport~~ :  
11    ~~(a) Transport~~ the person ; or ~~arrange the transportation for him with a~~  
12    ~~(b) Arrange for the person to be transported by:~~  
13    (1) A local law enforcement agency ; or  
14    (2) *An ambulance service that holds a permit issued pursuant to the*  
15    *provisions of chapter 450B of NRS,*  
16    to a public or private mental health facility for that purpose.  
17    2. The application must reveal the circumstances under which the  
18    person was taken into custody and the reasons therefor.



1 3. ~~For the purposes of~~ *As used in* subsection 1, “an accredited agent  
2 of the department” means any person appointed or designated by the  
3 director of the department to take into custody and transport to a mental  
4 health facility pursuant to subsections 1 and 2 those persons in need of  
5 emergency admission.

6 4. Any person who has reason to believe that another person is  
7 mentally ill may apply to the district attorney of the county where the  
8 allegedly mentally ill person is found, and the district attorney may, if  
9 satisfied that as a result of mental illness the person is likely to harm  
10 himself or others:

11 (a) Issue an order to any peace officer for the immediate apprehension  
12 of the person and his transportation to a public or private mental health  
13 facility; and

14 (b) ~~Make application~~ *Apply* for the admission of the person under the  
15 emergency admission provisions of NRS 433A.150.

16 5. Except as otherwise provided in this subsection, each person  
17 admitted to a public or private mental health facility or hospital under an  
18 emergency admission must be evaluated at the time of admission by a  
19 psychiatrist or a psychologist. If a psychiatrist or a psychologist is not  
20 available to conduct an evaluation at the time of admission, a physician  
21 may conduct the evaluation. Each such emergency admission must be  
22 approved by a psychiatrist.

23 **Sec. 2.** NRS 433A.165 is hereby amended to read as follows:

24 433A.165 1. Before an allegedly mentally ill person may be  
25 transported to a public or private mental health facility pursuant to NRS  
26 433A.160, he must:

27 (a) First be examined by a licensed physician *or an advanced*  
28 *practitioner of nursing* to determine whether the person has a medical  
29 problem, other than a psychiatric problem, which requires immediate  
30 treatment; and

31 (b) If such treatment is required, be admitted to a hospital for the  
32 appropriate medical care.

33 2. *Any determination made by an advanced practitioner of nursing*  
34 *regarding the medical condition of an allegedly mentally ill person must*  
35 *be approved by a licensed physician.*

36 3. The cost of the examination must be paid by the county in which the  
37 allegedly mentally ill person resides if services are provided at a county  
38 hospital located in that county or a hospital designated by that county,  
39 unless the cost is voluntarily paid by the allegedly mentally ill person or on  
40 his behalf, by his insurer or by a state or federal program of medical  
41 assistance.

42 ~~3-1~~ 4. The county may recover all or any part of the expenses paid by  
43 it, in a civil action against:

44 (a) The person whose expenses were paid;

45 (b) The estate of that person; or

46 (c) A responsible relative as prescribed in NRS 433A.610, to the extent  
47 that financial ability is found to exist.



1     ~~4.~~ 5. The cost of treatment, including hospitalization, for an indigent  
2 must be paid pursuant to NRS 428.010 by the county in which the  
3 allegedly mentally ill person resides.

4     **Sec. 3.** NRS 433A.330 is hereby amended to read as follows:  
5     433A.330 1. When any involuntary court admission is ordered under  
6 the provisions of this chapter, the involuntarily admitted person, together  
7 with the court orders and certificates of the physicians, certified  
8 psychologists or evaluation team and a full and complete transcript of the  
9 notes of the official reporter made at the examination of such person before  
10 the court, ~~shall~~ **must** be delivered to the sheriff of the county who shall  
11 ~~convey~~ :  
12     (a) *Transport* the person ; or  
13     (b) *Arrange for the person to be transported by an ambulance service*  
14 *that holds a permit issued pursuant to the provisions of chapter 450B of*  
15 *NRS,*  
16 to the appropriate public or private mental health facility.

17     2. No mentally ill person may be ~~conveyed~~ **transported** to the mental  
18 health facility without at least one attendant of the same sex or a relative in  
19 the first degree of consanguinity or affinity being in attendance.

20     **Sec. 4.** 1. There is hereby appropriated from the state general fund  
21 to the division of mental health and developmental services of the  
22 department of human resources to conduct medical examinations of  
23 allegedly mentally ill persons for emergency admission to facilities  
24 operated by the division:  
25         For the fiscal year 2001-2002..... \$1,000,000  
26         For the fiscal year 2002-2003..... \$1,000,000

27     2. Any balance of the sums appropriated by subsection 1 remaining at  
28 the end of the respective fiscal years must not be committed for  
29 expenditure after June 30 of the respective fiscal years and reverts to the  
30 state general fund as soon as all payments of money committed have been  
31 made.

32     **Sec. 5.** 1. This section and section 4 of this act become effective  
33 upon passage and approval.

34     2. Sections 1, 2 and 3 of this act become effective on October 1, 2001.

