

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 certain persons to transport an allegedly mentally ill person to a mental health facility at the request of the proper authority; authorizing a physician's assistant or 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; 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 ;*
14 (2) *A system for the nonemergency medical transportation of*
15 *persons whose operation is authorized by the transportation services*
16 *authority; or*
17 (3) *If medically necessary, an ambulance service that holds a*
18 *permit issued pursuant to the provisions of chapter 450B of NRS,*
19 to a public or private mental health facility for that purpose.



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1 2. The application must reveal the circumstances under which the
2 person was taken into custody and the reasons therefor.
3 3. ~~For the purposes of~~ *As used in* subsection 1, "an accredited agent
4 of the department" means any person appointed or designated by the
5 director of the department to take into custody and transport to a mental
6 health facility pursuant to subsections 1 and 2 those persons in need of
7 emergency admission.
8 4. Any person who has reason to believe that another person is
9 mentally ill may apply to the district attorney of the county where the
10 allegedly mentally ill person is found, and the district attorney may, if
11 satisfied that as a result of mental illness the person is likely to harm
12 himself or others:
13 (a) Issue an order to any peace officer for the immediate apprehension
14 of the person and his transportation to a public or private mental health
15 facility; and
16 (b) ~~Make application~~ *Apply* for the admission of the person under the
17 emergency admission provisions of NRS 433A.150.
18 5. Except as otherwise provided in this subsection, each person
19 admitted to a public or private mental health facility or hospital under an
20 emergency admission must be evaluated at the time of admission by a
21 psychiatrist or a psychologist. If a psychiatrist or a psychologist is not
22 available to conduct an evaluation at the time of admission, a physician
23 may conduct the evaluation. Each such emergency admission must be
24 approved by a psychiatrist.
25 **Sec. 2.** NRS 433A.165 is hereby amended to read as follows:
26 433A.165 1. Before an allegedly mentally ill person may be
27 transported to a public or private mental health facility pursuant to NRS
28 433A.160, he must:
29 (a) First be examined by a licensed physician *or physician's assistant*
30 *or an advanced practitioner of nursing* to determine whether the person
31 has a medical problem, other than a psychiatric problem, which requires
32 immediate treatment; and
33 (b) If such treatment is required, be admitted to a hospital for the
34 appropriate medical care.
35 2. The cost of the examination must be paid by the county in which the
36 allegedly mentally ill person resides if services are provided at a county
37 hospital located in that county or a hospital designated by that county,
38 unless the cost is voluntarily paid by the allegedly mentally ill person or on
39 his behalf, by his insurer or by a state or federal program of medical
40 assistance.
41 3. The county may recover all or any part of the expenses paid by it, in
42 a civil action against:
43 (a) The person whose expenses were paid;
44 (b) The estate of that person; or
45 (c) A responsible relative as prescribed in NRS 433A.610, to the extent
46 that financial ability is found to exist.
47 4. The cost of treatment, including hospitalization, for an indigent
48 must be paid pursuant to NRS 428.010 by the county in which the
49 allegedly mentally ill person resides.



1 **Sec. 3.** NRS 433A.330 is hereby amended to read as follows:
2 433A.330 1. When any involuntary court admission is ordered under
3 the provisions of this chapter, the involuntarily admitted person, together
4 with the court orders and certificates of the physicians, certified
5 psychologists or evaluation team and a full and complete transcript of the
6 notes of the official reporter made at the examination of such person before
7 the court, ~~shall~~ **must** be delivered to the sheriff of the county who shall
8 ~~convey~~ :
9 (a) *Transport* the person ; or
10 (b) *Arrange for the person to be transported by:*
11 (1) *A system for the nonemergency medical transportation of*
12 *persons whose operation is authorized by the transportation services*
13 *authority; or*
14 (2) *If medically necessary, an ambulance service that holds a*
15 *permit issued pursuant to the provisions of chapter 450B of 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.

