

SENATE BILL NO. 483—COMMITTEE ON HUMAN
RESOURCES AND FACILITIES

MARCH 26, 2001

Referred to Committee on Human Resources and Facilities

SUMMARY—Requires state board of health to license mobile medical facilities.
(BDR 40-1482)

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

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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 medical facilities; requiring the state board of health to adopt regulations for the licensure of mobile units as medical facilities; 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 449 of NRS is hereby amended by adding thereto a
2 new section to read as follows:
3 *“Mobile unit” means a motor vehicle that is:*
4 1. *Specially designed, constructed and equipped to provide for the*
5 *diagnosis, care and treatment of human diseases; and*
6 2. *Operated by any of the medical facilities described in subsections 1*
7 *to 13, inclusive, of NRS 449.0151.*
8 **Sec. 2.** NRS 449.001 is hereby amended to read as follows:
9 449.001 As used in this chapter, unless the context otherwise requires,
10 the words and terms defined in NRS 449.0015 to 449.019, inclusive, and
11 *section 1 of this act* have the meanings ascribed to them in those sections.
12 **Sec. 3.** NRS 449.0151 is hereby amended to read as follows:
13 449.0151 “Medical facility” includes:
14 1. A surgical center for ambulatory patients;
15 2. An obstetric center;
16 3. An independent center for emergency medical care;
17 4. An agency to provide nursing in the home;
18 5. A facility for intermediate care;
19 6. A facility for skilled nursing;
20 7. A facility for hospice care;
21 8. A hospital;



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- 1 9. A psychiatric hospital;
- 2 10. A facility for the treatment of irreversible renal disease;
- 3 11. A rural clinic;
- 4 12. A nursing pool; ~~and~~
- 5 13. A facility for modified medical detoxification ~~and~~; and

6 **14. A mobile unit.**

7 **Sec. 4.** NRS 449.037 is hereby amended to read as follows:

8 449.037 1. The board shall adopt:

9 (a) Licensing standards for each class of medical facility or facility for
10 the dependent covered by NRS 449.001 to 449.240, inclusive, and for
11 programs of hospice care.

12 (b) Regulations governing the licensing of such facilities and programs.

13 (c) Regulations governing the procedure and standards for granting an
14 extension of the time for which a natural person may provide certain care
15 in his home without being considered a residential facility for groups
16 pursuant to NRS 449.017. The regulations must require that such grants are
17 effective only if made in writing.

18 (d) Any other regulations as it deems necessary or convenient to carry
19 out the provisions of NRS 449.001 to 449.240, inclusive.

20 2. The board shall adopt separate regulations governing the licensing
21 and operation of:

22 (a) Facilities for the care of adults during the day; and

23 (b) Residential facilities for groups,
24 which provide care to persons with Alzheimer's disease.

25 3. The board shall adopt separate regulations for the licensure of rural
26 hospitals which take into consideration the unique problems of operating
27 such a facility in a rural area.

28 4. *The board shall adopt separate regulations for the licensure of*
29 *mobile units which take into consideration the unique factors of*
30 *operating a facility that is not in a fixed location.*

31 5. The board shall require that the practices and policies of each
32 medical facility or facility for the dependent provide adequately for the
33 protection of the health, safety and physical, moral and mental well-being
34 of each person accommodated in the facility.

35 ~~5.1~~ 6. The board shall establish minimum qualifications for
36 administrators and employees of residential facilities for groups. In
37 establishing the qualifications, the board shall consider the related
38 standards set by nationally recognized organizations which accredit such
39 facilities.

40 ~~6.1~~ 7. The board shall adopt separate regulations regarding the
41 assistance which may be given pursuant to NRS 453.375 and 454.213 to an
42 ultimate user of controlled substances or dangerous drugs by employees of
43 residential facilities for groups. The regulations must require at least the
44 following conditions before such assistance may be given:

45 (a) The ultimate user's physical and mental condition is stable and is
46 following a predictable course.

47 (b) The amount of the medication prescribed is at a maintenance level
48 and does not require a daily assessment.



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1 (c) A written plan of care by a physician or registered nurse has been
2 established that:

3 (1) Addresses possession and assistance in the administration of the
4 medication; and

5 (2) Includes a plan, which has been prepared under the supervision of
6 a registered nurse or licensed pharmacist, for emergency intervention if an
7 adverse condition results.

8 (d) The prescribed medication is not administered by injection or
9 intravenously.

10 (e) The employee has successfully completed training and examination
11 approved by the health division regarding the authorized manner of
12 assistance.

13 ~~7.7~~ 8. The board shall, if it determines necessary, adopt regulations
14 and requirements to ensure that each residential facility for groups and its
15 staff are prepared to respond to an emergency, including, without
16 limitation:

17 (a) The adoption of plans to respond to a natural disaster and other types
18 of emergency situations, including, without limitation, an emergency
19 involving fire;

20 (b) The adoption of plans to provide for the evacuation of a residential
21 facility for groups in an emergency, including, without limitation, plans to
22 ensure that nonambulatory patients may be evacuated;

23 (c) Educating the residents of residential facilities for groups concerning
24 the plans adopted pursuant to paragraphs (a) and (b); and

25 (d) Posting the plans or a summary of the plans adopted pursuant to
26 paragraphs (a) and (b) in a conspicuous place in each residential facility for
27 groups.

28 **Sec. 5.** NRS 449.230 is hereby amended to read as follows:

29 449.230 1. Any authorized member or employee of the health
30 division may enter and inspect any building or premises at any time to
31 secure compliance with or prevent a violation of any provision of NRS
32 449.001 to 449.245, inclusive. *For the purposes of this subsection,*
33 *“building or premises” does not include a mobile unit that is operated by*
34 *a medical facility which is accredited by the Joint Commission on*
35 *Accreditation of Healthcare Organizations or the American Osteopathic*
36 *Association.*

37 2. The state fire marshal or his designee shall, upon receiving a request
38 from the health division or a written complaint concerning compliance with
39 the plans and requirements to respond to an emergency adopted pursuant to
40 subsection ~~7.7~~ 8 of NRS 449.037:

41 (a) Enter and inspect a residential facility for groups; and

42 (b) Make recommendations regarding the adoption of plans and
43 requirements pursuant to subsection ~~7.7~~ 8 of NRS 449.037,
44 to ensure the safety of the residents of the facility in an emergency.

45 3. The state health officer or his designee shall enter and inspect at
46 least annually each building or the premises of a residential facility for
47 groups to ensure compliance with standards for health and sanitation.

48 4. An authorized member or employee of the health division shall
49 enter and inspect any building or premises operated by a residential facility



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1 for groups within 72 hours after the health division is notified that a
2 residential facility for groups is operating without a license.
3 **Sec. 6.** NRS 449.235 is hereby amended to read as follows:
4 449.235 ~~Every~~
5 *1. Except as otherwise provided in subsection 2, every* medical
6 facility or facility for the dependent may be inspected at any time, with or
7 without notice, as often as is necessary by:
8 ~~1-1~~ (a) The health division to ~~assure that there is~~ *ensure* compliance
9 with all applicable regulations and standards; and
10 ~~1-2~~ (b) Any person designated by the aging services division of the
11 department of human resources to investigate complaints made against the
12 facility.
13 *2. The provisions of subsection 1 do not authorize the health division*
14 *to inspect a mobile unit that is operated by a medical facility which is*
15 *accredited by the Joint Commission on Accreditation of Healthcare*
16 *Organizations or the American Osteopathic Association, unless the*
17 *health division has reasonable cause to believe that the mobile unit has*
18 *violated any provision of NRS 449.001 to 449.240, inclusive, or any*
19 *regulation or standard adopted pursuant thereto.*
20 **Sec. 7.** This act becomes effective on July 1, 2001.

