

SENATE BILL NO. 485—COMMITTEE ON HUMAN  
RESOURCES AND FACILITIES

MARCH 26, 2001

Referred to Committee on Human Resources and Facilities

SUMMARY—Requires provider of health care to notify patient or certain other persons before destroying health care records of patient. (BDR 54-1232)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: 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 health care records; requiring a provider of health care to notify a patient or certain other persons before destroying the health care records of the patient; 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 629.051 is hereby amended to read as follows:  
2     629.051 ***1.*** Except as otherwise provided in regulations adopted by  
3     the state board of health pursuant to NRS 652.135 with regard to the  
4     records of a medical laboratory, each provider of health care shall retain  
5     the health care records of his patients as part of his regularly maintained  
6     records for 5 years after their receipt or production. Health care records  
7     may be retained in written form, or by microfilm or any other recognized  
8     form of size reduction, including, without limitation, microfiche, computer  
9     disc, magnetic tape and optical disc, which does not adversely affect their  
10    use for the purposes of NRS 629.061. Health care records may be created,  
11    authenticated and stored in a computer system which limits access to those  
12    records.  
13    ***2.*** ***Before a provider of health care may destroy any health care***  
14    ***records of a patient that have been retained as required by subsection 1,***  
15    ***the provider of health care must send a notice by certified mail, return***  
16    ***receipt requested, to the last known address of:***  
17    ***(a) The patient;***  
18    ***(b) A parent or the legal guardian of the patient, if the patient is a***  
19    ***minor; or***  
20    ***(c) The personal representative of the patient, if the provider of health***  
21    ***care knows that the patient is deceased.***



1       3.   *The notice required by subsection 2 must include a statement that*  
2       *the health care records will be destroyed unless, within 60 days after the*  
3       *date of the notice, the provider of health care receives a written request*  
4       *for the health care records from the patient, parent, legal guardian or*  
5       *personal representative of the patient.*

