

ASSEMBLY BILL NO. 59—ASSEMBLYMEN OHRENSCHALL, PIERCE, LESLIE, ALLEN, ATKINSON, CLABORN, GERHARDT, HOGAN, HORNE, MANENDO, MORTENSON, MUNFORD, OCEGUERA AND SMITH (BY REQUEST)

FEBRUARY 16, 2005

JOINT SPONSORS: SENATORS AMODEI AND CARE

Referred to Committee on Health and Human Services

SUMMARY—Makes certain changes to reporting requirements for sentinel events at medical facilities. (BDR 40-1025)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
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 public health; requiring certain medical facilities to report facility-acquired infections as sentinel events to the Health Division of the Department of Human Resources; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Existing law requires medical facilities to report each sentinel event to the
- 2 Health Division of the Department of Human Resources. (NRS 439.835) A sentinel
- 3 event is an unexpected occurrence involving death or serious physical or
- 4 psychological injury, including the loss of limb or function. (NRS 439.830) The
- 5 Health Division must analyze and report trends regarding sentinel events and report
- 6 its findings to the Repository for Health Care Quality Assurance. (NRS 439.840,
- 7 439.845)
- 8 This bill adds a facility-acquired infection to the definition of a sentinel event
- 9 which must be reported to the Health Division. A facility-acquired infection
- 10 includes surgical site infections, ventilator-associated pneumonia, central line-
- 11 related bloodstream infections and urinary tract infections. This bill also authorizes
- 12 the Administrator of the Health Division to establish additional categories of
- 13 facility-acquired infections.



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

Section 1. Chapter 439 of NRS is hereby amended by adding thereto a new section to read as follows:

“Facility-acquired infection” means a localized or systemic condition which results from an adverse reaction to the presence of an infectious agent or its toxins and which was not detected as present or incubating at the time a patient was admitted to a medical facility, including, without limitation:

- 1. Surgical site infections;*
- 2. Ventilator-associated pneumonia;*
- 3. Central line-related bloodstream infections;*
- 4. Urinary tract infections; and*
- 5. Other categories of infections as may be established by the Administrator by regulation pursuant to NRS 439.890.*

Sec. 2. NRS 439.800 is hereby amended to read as follows:

439.800 As used in NRS 439.800 to 439.890, inclusive, *and section 1 of this act*, unless the context otherwise requires, the words and terms defined in NRS 439.805 to 439.830, inclusive, *and section 1 of this act* have the meanings ascribed to them in those sections.

Sec. 3. NRS 439.830 is hereby amended to read as follows:

439.830 “Sentinel event” means an unexpected occurrence involving *facility-acquired infection*, death or serious physical or psychological injury or the risk thereof, including, without limitation, any process variation for which a recurrence would carry a significant chance of a serious adverse outcome. The term includes loss of limb or function.

Sec. 4. NRS 439.860 is hereby amended to read as follows:

439.860 Any report, document and any other information compiled or disseminated pursuant to the provisions of NRS 439.800 to 439.890, inclusive, *and section 1 of this act* is not admissible in evidence in any administrative or legal proceeding conducted in this State.

Sec. 5. NRS 439.880 is hereby amended to read as follows:

439.880 No person is subject to any criminal penalty or civil liability for libel, slander or any similar cause of action in tort if he, without malice:

1. Reports a sentinel event to a governmental entity with jurisdiction or another appropriate authority;
2. Notifies a governmental entity with jurisdiction or another appropriate authority of a sentinel event;



1 3. Transmits information regarding a sentinel event to a
2 governmental entity with jurisdiction or another appropriate
3 authority;

4 4. Compiles, prepares or disseminates information regarding a
5 sentinel event to a governmental entity with jurisdiction or another
6 appropriate authority; or

7 5. Performs any other act authorized pursuant to NRS 439.800
8 to 439.890, inclusive ~~H~~, *and section 1 of this act.*

9 **Sec. 6.** NRS 439.885 is hereby amended to read as follows:

10 439.885 If a medical facility:

11 1. Commits a violation of any provision of NRS 439.800 to
12 439.890, inclusive, *and section 1 of this act*, or for any violation for
13 which an administrative sanction pursuant to NRS 449.163 would
14 otherwise be applicable; and

15 2. Of its own volition, reports the violation to the
16 Administrator,

17 ➤ such a violation must not be used as the basis for imposing an
18 administrative sanction pursuant to NRS 449.163.

19 **Sec. 7.** NRS 439.890 is hereby amended to read as follows:

20 439.890 The Administrator shall adopt such regulations as the
21 Administrator determines to be necessary or advisable to carry out
22 the provisions of NRS 439.800 to 439.890, inclusive ~~H~~, *and*
23 *section 1 of this act.*



