

Amendment No. 650

Assembly Amendment to Assembly Bill No. 183 First Reprint

(BDR 54-927)

Proposed by: Committee on Commerce and Labor**Amendment Box:****Resolves Conflicts with:** N/A**Amends:** Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION	Initial and Date	SENATE ACTION	Initial and Date
Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____	Adopted <input type="checkbox"/> Lost <input type="checkbox"/>	_____
Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____	Concurred In <input type="checkbox"/> Not <input type="checkbox"/>	_____
Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____	Receded <input type="checkbox"/> Not <input type="checkbox"/>	_____

Amend section 1, page 2, line 2, by deleting:

“2, 3 and 4” and inserting:

“2 and 3”.

Amend sec. 3, page 3, lines 41 and 42 by deleting:

“believes that he”.

Amend the bill as a whole by deleting sec. 4.

RRY/LH

Date: 4/26/2005

A.B. No. 650—Prohibits employers and certain other persons from retaliating or discriminating unfairly against certain nurses and nursing assistants for refusing to provide nursing services under certain circumstances.



**If this amendment is adopted, the Legislative
Counsel's Digest will be changed to read as follows:**

Legislative Counsel's Digest:

Existing law prohibits a medical facility or its agent or employee from retaliating or discriminating unfairly against an employee who reports certain conduct of a physician to the Board of Medical Examiners or the State Board of Osteopathic Medicine or who cooperates or otherwise participates in an investigation conducted by such Boards. (NRS 449.205) An employee who believes he has been retaliated or discriminated against in such a case may file an action in court for appropriate relief. (NRS 449.207)

This bill prohibits a person who employs or retains as an independent contractor a registered nurse, licensed practical nurse or nursing assistant, or an agent or employee of either of them, from retaliating or discriminating against the nurse or nursing assistant for refusing to provide services to a patient if the nurse or nursing assistant, in accordance with certain established policy, if any, reports to his immediate supervisor that the services may be harmful to the patient, unless the refusal constitutes unprofessional conduct. This bill further prohibits retaliation or unfair discrimination against a registered nurse, licensed practical nurse or nursing assistant who refuses to provide nursing services to a patient, if the nurse or nursing assistant, in accordance with certain established policy, if any, reports to his immediate supervisor that, as documented in his personnel file, he does not possess the knowledge, skill or experience to comply with an assignment to provide such nursing services, unless the refusal constitutes unprofessional conduct.

This bill authorizes any such nursing professional who has been retaliated or discriminated against to file an action in court for appropriate relief. If he prevails, this bill provides that the nursing professional may receive as damages payment for any hours that he was unable to work as a result of the retaliation or unfair discrimination and any other amount of damages deemed appropriate by the court.