

SENATE BILL NO. 119—SENATORS HECK, NOLAN,
AMODEI AND WASHINGTON

FEBRUARY 22, 2005

JOINT SPONSORS: ASSEMBLYMEN ANDERSON,
CONKLIN, OCEGUERA AND SIBLEY

Referred to Committee on Judiciary

SUMMARY—Revises provisions governing privileges of certain
medical review committees. (BDR 4-884)

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 privileges; expanding the medical review
committees that may refuse to disclose and to prevent
other persons from disclosing certain information from
their proceedings; providing that the proceedings and
records of those medical review committees are not
subject to discovery proceedings; and providing other
matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Existing law allows certain medical review committees to refuse to disclose and
2 to prevent other persons from disclosing certain information from their proceedings
3 and certain records and testimony given before them. (NRS 49.119) Additionally,
4 those proceedings and records are not subject to discovery proceedings.
5 (NRS 49.265)
6 This bill adds to the list of review committees to which those provisions apply a
7 review committee of a county or district board of health that certifies, licenses or
8 regulates providers of emergency medical service, which currently only includes a
9 county or district board of health in Clark County, but only when such a committee
10 functions as a peer review committee.
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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 49.117 is hereby amended to read as follows:
2 49.117 As used in NRS 49.117 to 49.123, inclusive, unless the
3 context otherwise requires, "review committee" means:

- 4 1. An organized committee of:
5 (a) A hospital;
6 (b) An ambulatory surgical center;
7 (c) A health maintenance organization;
8 (d) An organization that provides emergency medical services
9 pursuant to the provisions of chapter 450B of NRS; or
10 (e) A medical facility as defined in NRS 449.0151,
11 ➔ which has the responsibility of evaluating and improving the
12 quality of care rendered by the parent organization; ~~for~~

13 2. A peer review committee of a medical or dental society ~~H~~ ;
14 or

15 3. *A medical review committee of a county or district board of*
16 *health that certifies, licenses or regulates providers of emergency*
17 *medical services pursuant to the provisions of chapter 450B of*
18 *NRS, but only when functioning as a peer review committee.*

19 **Sec. 2.** NRS 49.265 is hereby amended to read as follows:
20 49.265 1. Except as otherwise provided in subsection 2:

- 21 (a) The proceedings and records of:
22 (1) Organized committees of hospitals, and organized
23 committees of organizations that provide emergency medical
24 services pursuant to the provisions of chapter 450B of NRS, having
25 the responsibility of evaluation and improvement of the quality of
26 care rendered by those hospitals or organizations; ~~and~~

27 (2) Review committees of medical or dental societies ~~H~~ ;
28 and

29 (3) *Medical review committees of a county or district board*
30 *of health that certifies, licenses or regulates providers of*
31 *emergency medical services pursuant to the provisions of chapter*
32 *450B of NRS, but only when such committees function as peer*
33 *review committees,*

34 ➔ are not subject to discovery proceedings.

35 (b) No person who attends a meeting of any such committee
36 may be required to testify concerning the proceedings at the
37 meeting.

38 2. The provisions of subsection 1 do not apply to:

39 (a) Any statement made by a person in attendance at such a
40 meeting who is a party to an action or proceeding the subject of
41 which is reviewed at the meeting.



1 (b) Any statement made by a person who is requesting staff
2 privileges at a hospital.

3 (c) The proceedings of any meeting considering an action
4 against an insurance carrier alleging bad faith by the carrier in
5 refusing to accept a settlement offer within the limits of the policy.

6 (d) Any matter relating to the proceedings or records of such
7 committees which is contained in health care records furnished in
8 accordance with NRS 629.061.



