

SENATE BILL NO. 159—SENATORS BEERS, CARE, CEGAVSKE,
HARDY, HORSFORD, RAGGIO, RHOADS AND TIFFANY

MARCH 3, 2005

JOINT SPONSORS: ASSEMBLYMEN SIBLEY, SEALE, SHERER,
OHRENSCHALL, CHRISTENSEN, CLABORN, CONKLIN,
GANSERT, GIUNCHIGLIANI, GOICOECHEA, GRADY,
HETTRICK, HOGAN, HORNE, MARVEL, MUNFORD, PARKS
AND WEBER

Referred to Committee on Human Resources and Education

SUMMARY—Prohibits State Board of Health from requiring
person enrolled in program of distance education
within University and Community College System
of Nevada to submit proof of immunity to
communicable diseases. (BDR 40-942)

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 public health; prohibiting the State Board of
Health from requiring a person who enrolls in a program
of distance education within the University and
Community College System of Nevada to submit proof of
immunity to communicable diseases; and providing other
matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Existing law requires the State Board of Health to adopt regulations governing
- 2 the control of communicable diseases in this State, including regulations
- 3 concerning educational, medical and correctional institutions. (NRS 441A.120) A
- 4 regulation adopted by the State Board of Health prohibits a person from attending
- 5 the University of Nevada, Reno, or the University of Nevada, Las Vegas, unless he
- 6 has submitted proof of immunity to certain communicable diseases specified by the
- 7 Board. (NAC 441A.755)
- 8 This bill prohibits the Board from requiring submission of proof of immunity to
- 9 a communicable disease by a student who participates in a program of distance



education offered by any institution within the University and Community College System of Nevada and who does not attend classes on a campus. A program of distance education is defined as a program of instruction that delivers instruction to a student by certain means of electronic communication, such as video, television and the Internet.

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

Section 1. NRS 441A.120 is hereby amended to read as follows:

441A.120 ~~{The}~~

1. Subject to the limitation in subsection 2, the Board shall adopt regulations governing the control of communicable diseases in this State, including regulations specifically relating to the control of such diseases in educational, medical and correctional institutions. The regulations must specify:

~~{1-}~~ **(a)** The diseases which are known to be communicable.

~~{2-}~~ **(b)** The communicable diseases which are known to be sexually transmitted.

~~{3-}~~ **(c)** The procedures for investigating and reporting cases or suspected cases of communicable diseases, including the time within which these actions must be taken.

~~{4-}~~ **(d)** For each communicable disease, the procedures for testing, treating, isolating and quarantining a person or group of persons who have been exposed to or have or are suspected of having the disease.

~~{5-}~~ **(e)** A method for ensuring that any testing, treatment, isolation or quarantine of a person or a group of persons pursuant to this chapter is carried out in the least restrictive manner or environment that is appropriate and acceptable under current medical and public health practices.

2. The Board shall not adopt any regulations which require a person who enrolls in a program of distance education of any university, state college or community college within the University and Community College System of Nevada and who does not attend classes on a campus of the System to submit to the university, state college or community college proof of immunity to a communicable disease.

3. As used in this section, "program of distance education" means a program of instruction which is delivered by means of video, computer, television, correspondence, or the Internet or other electronic means of communication, or any combination thereof, in such a manner that the person supervising or providing the instruction and the person receiving the instruction are



- 1 *separated geographically during the time in which the instruction*
- 2 *is delivered.*
- 3 **Sec. 2.** This act becomes effective on July 1, 2005.



