
ASSEMBLY BILL NO. 225—COMMITTEE ON HEALTH
AND HUMAN SERVICES

(ON BEHALF OF THE LEGISLATIVE COMMITTEE ON HEALTH CARE)

MARCH 1, 2007

Referred to Committee on Health and Human Services

SUMMARY—Revises provisions concerning emergency admissions of allegedly mentally ill persons to certain mental health facilities. (BDR 39-306)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to mental health; revising provisions concerning emergency admissions of allegedly mentally ill persons to certain mental health facilities; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Under existing law, an allegedly mentally ill person must be examined by one
2 of certain enumerated medical professionals before the person may be transported
3 to a public or private mental health facility pursuant to the procedures for an
4 emergency admission, to determine whether the person has a medical problem,
5 other than a psychiatric problem, which requires immediate treatment. (NRS
6 433A.165) **Section 1** of this bill changes the deadline by which such a medical
7 examination must be conducted from before transportation of the person to the
8 mental health facility to any time before the person is admitted to the mental health
9 facility. **Section 1** also clarifies that this requirement of a medical examination does
10 not apply to emergency admissions to a community triage center.



* A B 2 2 5 *

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

Section 1. NRS 433A.165 is hereby amended to read as follows:

433A.165 1. Before an allegedly mentally ill person may be ~~transported~~ *admitted* to a public or private mental health facility, *other than a community triage center*, pursuant to NRS 433A.160, the person must:

(a) First be examined by a licensed physician or physician assistant or an advanced practitioner of nursing to determine whether the person has a medical problem, other than a psychiatric problem, which requires immediate treatment; and

(b) If such treatment is required, be admitted for the appropriate medical care:

(1) To a hospital if the person is in need of emergency services or care; or

(2) To another appropriate medical facility if the person is not in need of emergency services or care.

2. The examination and any transfer of the person from a facility when the person has an emergency medical condition and has not been stabilized must be conducted in compliance with:

(a) The requirements of 42 U.S.C. § 1395dd and any regulations adopted pursuant thereto, and must involve a person authorized pursuant to federal law to conduct such an examination or certify such a transfer; and

(b) The provisions of NRS 439B.410.

3. The cost of the examination must be paid by the county in which the allegedly mentally ill person resides if services are provided at a county hospital located in that county or a hospital or other medical facility designated by that county, unless the cost is voluntarily paid by the allegedly mentally ill person or, on his behalf, by his insurer or by a state or federal program of medical assistance.

4. The county may recover all or any part of the expenses paid by it, in a civil action against:

(a) The person whose expenses were paid;

(b) The estate of that person; or

(c) A responsible relative as prescribed in NRS 433A.610, to the extent that financial ability is found to exist.

5. The cost of treatment, including hospitalization, for an indigent must be paid pursuant to NRS 428.010 by the county in which the allegedly mentally ill person resides.



* A B 2 2 5 *

1 6. The Division shall adopt regulations to carry out the
2 provisions of this section, including, without limitation, regulations
3 that:

4 (a) Define “emergency services or care” as that term is used in
5 this section; and

6 (b) Prescribe the type of medical facility that a person may be
7 admitted to pursuant to subparagraph (2) of paragraph (b) of
8 subsection 1.

9 7. As used in this section ~~the “medical”~~:

10 (a) *“Community triage center” has the meaning ascribed to it*
11 *in NRS 449.0031.*

12 (b) *“Medical”* facility” has the meaning ascribed to it in
13 NRS 449.0151.

