

SENATE BILL NO. 314—SENATORS WOODHOUSE, HORSFORD, TITUS,
AMODEI, BEERS, COFFIN, HECK, LEE, SCHNEIDER AND WIENER

MARCH 19, 2007

JOINT SPONSORS: ASSEMBLYMEN PARNELL, PARKS, GERHARDT,
MCCLAIN, BOBZIEN, DENIS, MANENDO, SEGERBLUM,
SMITH AND WOMACK

Referred to Committee on Human Resources and Education

SUMMARY—Requires the provision of information concerning
services that are provided at certain residential
facilities for older persons. (BDR 40-1169)

FISCAL NOTE: Effect on Local Government: No.
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 residential facilities; requiring that certain facilities for independent living for older persons provide notice of the limitations on the services provided at the facility and certain other information; requiring the Department of Health and Human Services to develop the required notice; requiring the Department of Health and Human Services to develop a brochure and website to assist older persons in determining the appropriate level of care and type of facility they require to meet their needs; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Existing law provides for the licensing and regulation of certain facilities and
- 2 services for dependent persons. (Chapter 449 of NRS) Some facilities that serve as
- 3 residences for independent living for older persons are not required to be licensed
- 4 pursuant to chapter 449 of NRS. In some situations, such a facility may contain
- 5 some units that are subject to licensure because of the services that they provide
- 6 and other units that are not subject to licensure because they do not provide those
- 7 services. **Section 3** of this bill requires facilities which are not licensed pursuant to
- 8 chapter 449 of NRS and which offer independent living for persons 55 years of age



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9 or older to provide notice of the limitations on the services provided and certain
10 other information. **Section 4** of this bill requires the Department of Health and
11 Human Services to develop a brochure and a website to assist older persons seeking
12 residential care or services in determining the appropriate level of care and services
13 available at different facilities.

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

1 **Section 1.** Chapter 449 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2, 3 and 4 of this act.

3 **Sec. 2.** *“Residential facility for independent living” means a*
4 *facility that:*

5 *1. Limits residency to persons 55 years of age or older,*
6 *whether the residence is owned or leased by the occupant; and*

7 *2. Does not provide care or services that require licensure*
8 *pursuant to this chapter.*

9 *↪ The term includes such facilities that are affiliated with or*
10 *share property with facilities that are required to be licensed*
11 *pursuant to this chapter.*

12 **Sec. 3.** *1. A residential facility for independent living shall*
13 *conspicuously post in the facility and shall include in any*
14 *contracts of sale or agreements for occupancy a notice that*
15 *includes the following information:*

16 *(a) That the facility is intended for independent living and does*
17 *not directly provide or coordinate the oversight of services to meet*
18 *the scheduled and unscheduled needs of its residents, including,*
19 *without limitation, the provision of personal care, supportive*
20 *services and health-related services.*

21 *(b) The other levels of care that are available to persons who*
22 *require personal care, supportive services or health-related*
23 *services, including, without limitation, residential facilities for*
24 *groups, facilities for intermediate care and facilities for skilled*
25 *nursing. The notice must describe the facilities and levels of care*
26 *in language that is easy to understand.*

27 *(c) A statement that encourages residents to reassess on a*
28 *regular basis the type of housing and care that is most appropriate*
29 *for them.*

30 *2. The Department of Health and Human Services shall*
31 *develop the language for the notice required by subsection 1 in*
32 *consultation with nationally recognized advocacy groups for older*
33 *persons and housing organizations.*

34 **Sec. 4.** *The Department of Health and Human Services shall*
35 *develop a brochure and website to assist persons who are 55 years*
36 *of age or older in determining the appropriate level of care and*



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1 *type of housing that they require to meet their individual needs.*
2 *The brochure and website must include, without limitation:*

3 1. *The various types of housing and levels of care that are*
4 *available to persons who are 55 years of age or older, including,*
5 *without limitation, residential facilities for independent living,*
6 *residential facilities for groups, facilities for intermediate care and*
7 *facilities for skilled nursing, distinguishing the varying degree of*
8 *services that are offered by the different types of facilities;*

9 2. *The location of the various facilities and the ranges of*
10 *prices for residence or ownership; and*

11 3. *Such other information as the Department deems to be*
12 *beneficial to persons who are 55 years of age or older in*
13 *determining the appropriate level of care and type of housing that*
14 *they require to meet their individual needs.*

15 **Sec. 5.** NRS 449.001 is hereby amended to read as follows:

16 449.001 As used in this chapter, unless the context otherwise
17 requires, the words and terms defined in NRS 449.0015 to
18 449.0195, inclusive, *and section 2 of this act* have the meanings
19 ascribed to them in those sections.

