

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. (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 and entities provide notice of the limitations on the services provided at the facility and certain other information; requiring the Aging Services Division of the Department of Health and Human Services to develop the required notice; requiring the Department 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 are not required to be licensed pursuant to chapter
4 449 of NRS. In some situations, such a facility may contain some units that are
5 subject to licensure because of the services that they provide and other units that are
6 not subject to licensure because they do not provide those services. **Section 3** of
7 this bill requires certain facilities which offer independent living to provide notice
8 of the limitations on the services provided and certain other information. **Section 4**
9 of this bill requires the Department of Health and Human Services to develop a



10 brochure and a website to assist older persons seeking residential care or services in
11 determining the appropriate level of care and services available at different
12 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.** (Deleted by amendment.)

4 **Sec. 3.** *1. A facility for the dependent, a medical facility, a*
5 *home for individual residential care or an entity affiliated with*
6 *such a facility or home which offers housing to persons that does*
7 *not include the provision of care or services which require*
8 *licensure pursuant to this chapter shall conspicuously post in the*
9 *facility or home and shall include in any contracts of sale or*
10 *agreements for occupancy a notice that includes the following*
11 *information:*

12 *(a) That the specific area of the facility or home is intended for*
13 *independent living and does not directly provide or coordinate the*
14 *oversight of services to meet the scheduled and unscheduled needs*
15 *of its residents, including, without limitation, the provision of*
16 *personal care, supportive services and health-related services.*

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

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

26 **2.** *The Aging Services Division of the Department of Health*
27 *and Human Services shall develop the language for the notice*
28 *required by subsection 1 in consultation with nationally*
29 *recognized advocacy groups for older persons and housing*
30 *organizations.*

31 **3.** *For the purposes of this section, an entity is affiliated with*
32 *a facility or home described in subsection 1 if:*

33 *(a) It is under common or shared ownership;*

34 *(b) It is under common or shared management; or*

35 *(c) It receives promotional or marketing support from the*
36 *facility or home.*

37 **Sec. 4.** *1. The Department of Health and Human Services*
38 *shall develop a brochure and website to assist persons who are 55*



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1 *years of age or older in determining the appropriate level of care*
2 *and type of housing that they require to meet their individual*
3 *needs. The brochure and website must include, without limitation:*

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

10 *(b) Whether individual facilities accept payment through*
11 *Medicaid or Medicare for the level of care and type of housing*
12 *that the facilities provide;*

13 *(c) The manner in which a person may obtain information*
14 *concerning whether the facility has ever been found to have*
15 *violated the provisions of this chapter; and*

16 *(d) Such other information as the Department deems to be*
17 *beneficial to persons who are 55 years of age or older in*
18 *determining the appropriate level of care and type of housing that*
19 *they require to meet their individual needs.*

20 **2. As used in this section:**

21 *(a) "Medicaid" has the meaning ascribed to it in*
22 *NRS 439B.120.*

23 *(b) "Medicare" has the meaning ascribed to it in*
24 *NRS 439B.130.*

25 **Sec. 5. (Deleted by amendment.)**

