

Amendment No. 319

|                                                                                       |               |
|---------------------------------------------------------------------------------------|---------------|
| Senate Amendment to Senate Bill No. 314                                               | (BDR 40-1169) |
| <b>Proposed by:</b> Senate Committee on Human Resources and Education                 |               |
| <b>Amends:</b> Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes |               |

| ASSEMBLY ACTION |                          | Initial and Date              | SENATE ACTION |                          | Initial and Date              |
|-----------------|--------------------------|-------------------------------|---------------|--------------------------|-------------------------------|
| Adopted         | <input type="checkbox"/> | Lost <input type="checkbox"/> | Adopted       | <input type="checkbox"/> | Lost <input type="checkbox"/> |
| Concurred In    | <input type="checkbox"/> | Not <input type="checkbox"/>  | Concurred In  | <input type="checkbox"/> | Not <input type="checkbox"/>  |
| Receded         | <input type="checkbox"/> | Not <input type="checkbox"/>  | Receded       | <input type="checkbox"/> | Not <input type="checkbox"/>  |

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) *green bold* is newly added transitory language.

SLP/KCR



Date: 4/15/2007

S.B. No. 314—Requires the provision of information concerning services that are provided at certain residential facilities for older persons.  
(BDR 40-1169)



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, SEGERBLOM, 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 **Aging Services Division of 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:**

Existing law provides for the licensing and regulation of certain facilities and services for  
dependent persons. (Chapter 449 of NRS) Some facilities that serve as residences for  
independent living ~~for older persons~~ are not required to be licensed pursuant to chapter 449  
of NRS. In some situations, such a facility may contain some units that are subject to licensure  
because of the services that they provide and other units that are not subject to licensure  
because they do not provide those services. **Section 3** of this bill requires facilities which are  
not licensed pursuant to chapter 449 of NRS and which offer independent living ~~for persons~~  
~~55 years of age or older~~ to provide notice of the limitations on the services provided and  
certain other information. **Section 4** of this bill requires the Department of Health and Human  
Services to develop a brochure and a website to assist older persons seeking residential care or  
services in determining the appropriate level of care and services 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 thereto the  
2 provisions set forth as sections 2, 3 and 4 of this act.

3       **Sec. 2.** *“Residential facility for independent living” means a facility that*  
4 ~~*1. Limits residency to persons 55 years of age or older, whether the*~~  
5 ~~*residence is owned or leased by the occupant; and*~~

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

8 ~~*The term includes*~~ *including, without limitation, such facilities* *a facility*  
9 *that are affiliated with or share shares property with facilities that are*  
10 *another facility which is required to be licensed pursuant to this chapter.*

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

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

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

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

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

29       **Sec. 4.** The Department of Health and Human Services shall develop a  
30 brochure and website to assist persons who are 55 years of age or older in  
31 determining the appropriate level of care and type of housing that they require to  
32 meet their individual needs. The brochure and website must include, without  
33 limitation:

34       1. The various types of housing and levels of care that are available to  
35 persons who are 55 years of age or older, including, without limitation,  
36 residential facilities for independent living, residential facilities for groups,  
37 facilities for intermediate care and facilities for skilled nursing, distinguishing  
38 the varying degree of services that are offered by the different types of facilities;  
39 *and*

40       2. ~~*The location of the various facilities and the ranges of prices for*~~  
41 ~~*residence or ownership; and*~~

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

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

46       449.001 As used in this chapter, unless the context otherwise requires, the  
47 words and terms defined in NRS 449.0015 to 449.0195, inclusive, *and section 2 of*  
48 *this act* have the meanings ascribed to them in those sections.