

Amendment No. 860

Assembly Amendment to Senate Bill No. 314 First Reprint (BDR 40-1169)

Proposed by: Assembly Committee on Health and Human Services**Amends:** Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	☐	Lost	☐	_____	Adopted	☐	Lost	☐	_____
Concurred In	☐	Not	☐	_____	Concurred In	☐	Not	☐	_____
Receded	☐	Not	☐	_____	Receded	☐	Not	☐	_____

EXPLANATION: Matter in (1) ***blue bold italic*** 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.

LJM/RBL



Date: 5/21/2007

S.B. No. 314—Requires the provision of information concerning services that are provided at certain residential facilities. (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. (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~~ 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:

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 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 certain facilities which ~~are not licensed~~
~~pursuant to chapter 449 of NRS and which~~ offer independent living 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:

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

Sec. 2. ~~“Residential facility for independent living” means a facility that does not provide care or services which require licensure pursuant to this chapter, including, without limitation, a facility that is affiliated with or shares property with another facility which is required to be licensed pursuant to this chapter.~~ (Deleted by amendment.)

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

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

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

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

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

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

(a) It is under common or shared ownership;

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

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

Sec. 4. 1. The Department of Health and Human Services shall develop a brochure and website to assist persons who are 55 years of age or older in determining the appropriate level of care and type of housing that they require to meet their individual needs. The brochure and website must include, without limitation:

~~1-1~~ (a) The various types of housing and levels of care that are available to persons who are 55 years of age or older, including, without limitation, residential facilities for independent living, residential facilities for groups, facilities for intermediate care and facilities for skilled nursing, distinguishing the varying degree of services that are offered by the different types of facilities;

~~and~~
~~2-1~~ (b) Whether individual facilities accept payment through Medicaid or Medicare for the level of care and type of housing that the facilities provide;

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

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

7 2. As used in this section:

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

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

10 Sec. 5. [NRS 449.001 is hereby amended to read as follows:

11 449.001 As used in this chapter, unless the context otherwise requires, the
12 words and terms defined in NRS 449.0015 to 449.0195, inclusive, and section 2 of
13 this act have the meanings ascribed to them in those sections.] (Deleted by
14 amendment.)