

Amendment No. 475

Assembly Amendment to Assembly Bill No. 112

(BDR 40-214)

Proposed by: Assembly Committee on Health and Human Services**Amends:** 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 dashed underlining* is newly added transitory language.

CLP/KCR



Date: 4/15/2009

A.B. No. 112—Establishes provisions relating to public health emergencies.
(BDR 40-214)



ASSEMBLY BILL NO. 112—COMMITTEE ON
HEALTH AND HUMAN SERVICES

(ON BEHALF OF THE LEGISLATIVE COMMITTEE ON HEALTH CARE)

PREFILED JANUARY 23, 2009

Referred to Committee on Health and Human Services

SUMMARY—Establishes provisions relating to the coordinated response to public health emergencies and other health events. (BDR 40-214)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
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 public health; requiring the Governor to ~~declare~~ determine whether a public health emergency or other health event requires a coordinated response if there is an immediate threat to the health and safety of the public; ~~creating the Committee on Public Health Emergencies; prescribing the powers and duties of the Committee; establishing provisions for responding to and resolving~~ providing for the establishment of an emergency team to coordinate a response to a public health emergency or other health event; prescribing the membership, duties and scope of authority of such an emergency team; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Health Division of the Department of Health and Human Services and city, county and district boards of health to protect the public health of the residents of this State. (Chapter 439 of NRS)

Section 15.5 of this bill requires the Governor to ~~declare~~ determine whether a public health emergency or other health event exists that requires a coordinated response by an emergency team when there is an immediate threat to the health and safety of the public. ~~Section 5 of this bill creates the Committee on Public Health Emergencies and prescribes the membership of the Committee. Section 9 of this bill prescribes the duties of the Committee, including the development of a plan for responding to and resolving public health emergencies and the coordination of a response to a public health emergency. Section 10 of this bill provides that if the Governor declares a public health emergency, the Committee may, by affirmative majority vote, temporarily close a facility which provides health care if the Committee determines that: (1) the facility is the cause of or significantly contributed to the public health emergency; and (2) the health, safety or welfare of the public imperatively requires the emergency closure of the facility. Section 10 also provides that the Committee may not require the closure of the facility for longer than is necessary to ensure that the~~

facility no longer poses an immediate threat to the health, safety or welfare of the public. Section 12 of this bill provides that if the Governor declares a public health emergency, the Committee may, by affirmative majority vote, temporarily suspend certain state statutes and regulations to allow public agencies, law enforcement agencies and political subdivisions of this State to share information, medical records and other resources during the public health emergency. Section 13 of this bill requires the Chairman of the Committee under certain circumstances to appoint a subcommittee to investigate a public health emergency and to assist the Committee in the coordination of a response to the public health emergency. Section 14 of this bill sets forth the powers of the Committee and any subcommittee thereof in conducting investigations and hearings in connection with a public health emergency. Section 15 of this bill requires the Committee and any subcommittee thereof to keep confidential certain information provided to the Committee or subcommittee during the course of an investigation of a public health emergency relating to the medical history and personal identifying information of persons. Section 15.5 also prescribes the membership of such an emergency team.

Section 15.7 of this bill prescribes the duties of the emergency team, including the investigation of the response of each state agency, division, board and other entity that is represented on the emergency team and the coordination of the response to the public health emergency or other health event with those agencies, divisions, boards and other entities.

Section 15.8 of this bill requires the chairman of the emergency team or his designee to provide information to the public and to certain persons regarding the progress of the work of the emergency team and to submit a report on the findings of the emergency team upon the resolution of the public health emergency or other health event.

Section 15.9 of this bill requires the emergency team to make recommendations to the State Board of Health and local boards of health regarding regulations and policies concerning public health emergencies or other health events and to evaluate the response of each state agency, division, board and other entity represented on the emergency team.

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

Section 1. Chapter 439 of NRS is hereby amended by adding thereto the provisions set forth as sections ~~{2 to 15,}~~ 15.1 to 15.9, inclusive, of this act.

Sec. 2. ~~{As used in sections 2 to 15, inclusive, of this act, unless the context otherwise requires, "Committee" means the Committee on Public Health Emergencies created by section 5 of this act.}~~ {Deleted by amendment.}

Sec. 3. ~~{1. If a local board of health identifies within its jurisdiction or the Health Division identifies within this State an immediate threat to the health and safety of the public, the local board of health or Health Division, as applicable, shall immediately transmit to the Governor a report of the immediate threat.~~

~~2. Upon receiving a report pursuant to subsection 1, the Governor shall determine whether a public health emergency exists. If the Governor determines that a public health emergency exists, he shall, by executive order, declare a public health emergency.~~

~~3. An executive order declaring a public health emergency must include, without limitation:~~

~~(a) The nature of the public health emergency;~~

~~(b) Each political subdivision and each geographic area subject to the declaration;~~

~~(c) The conditions that have brought about the public health emergency;~~

~~(d) The estimated duration of the public health emergency; and~~

~~(c) An identification of each person and entity responsible for responding to the public health emergency;~~

~~4. The Governor shall immediately transmit the executive order declaring a public health emergency to:~~

~~(a) The Legislature or, if the Legislature is not in session, to the Legislative Commission and the Legislative Committee on Health Care;~~

~~(b) The Committee;~~

~~(c) Each person and entity identified in the executive order as being responsible for responding to the public health emergency;~~

~~(d) Each political subdivision subject to the declaration; and~~

~~(e) Any other person or entity deemed necessary or advisable by the Governor;~~

~~5. The Governor shall declare a public health emergency terminated before the estimated duration stated in the executive order upon a finding that the public health emergency no longer poses an immediate threat to the health and safety of the public. Upon such a finding, the Governor shall notify each person and entity identified in subsection 4.~~

~~6. If a public health emergency lasts longer than the estimated duration stated in the executive order, the Governor is not required to reissue an executive order, but shall notify each person and entity identified in subsection 4 of the extension.~~ (Deleted by amendment.)

~~Sec. 4. [During a public health emergency, the Governor may, upon consultation with the Committee, request from a governor of a contiguous state assistance in carrying out an inspection of a facility which provides health care, including, without limitation, a medical facility, facility for the dependent, medical laboratory or office of a provider of health care. The Governor may enter into an agreement for the provision of such services relating to inspections.]~~ (Deleted by amendment.)

~~Sec. 5. [There is hereby created the Committee on Public Health Emergencies. The membership of the Committee consists of:~~

~~(a) The State Health Officer or a person appointed pursuant to subsection 3, as applicable;~~

~~(b) The Administrator of the Health Division;~~

~~(c) The Administrator of the Division of Health Care Financing and Policy of the Department;~~

~~(d) The Director of the Department of Public Safety; and~~

~~(e) The district health officer of each health district.~~

~~2. The State Health Officer or the person appointed pursuant to subsection 3, as applicable, is the Chairman of the Committee.~~

~~3. If the State Health Officer has a conflict of interest relating to a public health emergency or is otherwise unable to carry out his duties pursuant to sections 2 to 15, inclusive, of this act, the Director shall temporarily appoint a person to carry out the duties of the State Health Officer prescribed in sections 2 to 15, inclusive, of this act until such time as the public health emergency has been resolved or the State Health Officer is able to resume his duties. The person appointed by the Director must meet the requirements prescribed in subsection 1 of NRS 439.090.~~

~~4. The Director or his designee shall act as the nonvoting Secretary of the Committee.~~

~~5. The Attorney General shall provide legal counsel to the Committee and any subcommittee created pursuant to section 13 of this act.~~ (Deleted by amendment.)

1 Sec. 6. ~~[1. The Committee shall meet throughout the year at the times and~~
2 ~~places specified by a call of the Chairman or a majority of the Committee.~~

3 ~~2. A majority of the members of the Committee constitutes a quorum, and a~~
4 ~~quorum may exercise all the power and authority conferred on the Committee.]~~
5 ~~(Deleted by amendment.)~~

6 Sec. 7. ~~[1. While engaged in the business of the Committee or any~~
7 ~~subcommittee created pursuant to section 13 of this act, a member of the~~
8 ~~Committee or subcommittee who is:~~

9 ~~(a) Not a public employee is entitled to receive compensation of not more~~
10 ~~than \$80 per day, as fixed by the Governor.~~

11 ~~(b) A public employee may not receive any compensation for his services as a~~
12 ~~member of the Committee or subcommittee. Any member of the Committee or~~
13 ~~subcommittee who is a public employee must be granted administrative leave~~
14 ~~from his duties to engage in the business of the Committee or subcommittee~~
15 ~~without loss of his regular compensation. Such leave does not reduce the amount~~
16 ~~of the member's other accrued leave.~~

17 ~~2. In addition to any compensation received pursuant to subsection 1, while~~
18 ~~engaged in the business of the Committee or a subcommittee thereof, each~~
19 ~~member is entitled to receive the per diem allowance and travel expenses provided~~
20 ~~for state officers and employees generally.] (Deleted by amendment.)~~

21 Sec. 8. ~~[The Chairman of the Committee shall:~~

22 ~~1. As soon as practicable after the Governor declares a public health~~
23 ~~emergency pursuant to section 3 of this act, determine whether a subcommittee is~~
24 ~~required to be created pursuant to section 13 of this act.~~

25 ~~2. Provide information to the general public and ensure that the public~~
26 ~~remains informed on the progress of the work of the Committee and any~~
27 ~~subcommittee created pursuant to section 13 of this act.~~

28 ~~3. Act as the liaison between the Committee and the Governor, the Speaker~~
29 ~~of the Assembly, the Majority Leader of the Senate, the Attorney General and any~~
30 ~~other officer, agency or political subdivision of this State with an interest in the~~
31 ~~response to and resolution of the public health emergency.~~

32 ~~4. Provide to the Governor and the Legislature or, if the Legislature is not~~
33 ~~in session, to the Legislative Commission and the Legislative Committee on~~
34 ~~Health Care:~~

35 ~~(a) During the course of an investigation of a public health emergency,~~
36 ~~monthly updates, or more frequent updates if requested, on the progress of the~~
37 ~~work of the Committee and any subcommittee created pursuant to section 13 of~~
38 ~~this act; and~~

39 ~~(b) Upon the resolution of a public health emergency, a report on the~~
40 ~~findings of the Committee and any subcommittee created pursuant to section 13~~
41 ~~of this act and the action that was taken to resolve the public health emergency.]~~

42 ~~(Deleted by amendment.)~~

43 Sec. 9. ~~[The Committee shall:~~

44 ~~1. Work cooperatively with the State Board of Health and local boards of~~
45 ~~health in this State to develop a plan for a coordinated response to public health~~
46 ~~emergencies, which, to the extent practicable, must be consistent with the~~
47 ~~provisions of chapters 239C, 414 and 441A of NRS and any plans and procedures~~
48 ~~adopted pursuant to those chapters.~~

49 ~~2. Evaluate the response of each agency in this State which has the~~
50 ~~authority to oversee public health emergencies and make recommendations to the~~
51 ~~agency, the Governor and the Legislature or, if the Legislature is not in session,~~
52 ~~to the Legislative Commission and the Legislative Committee on Health Care~~

~~with respect to actions and measures that may be taken to improve such responses.~~

~~3. Investigate, or create a subcommittee pursuant to section 13 of this act to investigate, each public health emergency.~~

~~4. Coordinate the response to and resolution of each public health emergency.~~

~~5. Work cooperatively with the health authority and the law enforcement agency with jurisdiction over the public health emergency to secure the medical records, whether maintained in written, electronic or other form, of patients of a facility which provides health care, including, without limitation, a medical facility, facility for the dependent, medical laboratory or office of a provider of health care and which is closed pursuant to section 10 of this act or chapter 449 of NRS or otherwise ceases operation as a result of the involvement of the facility in a public health emergency. The medical records must be protected in accordance with the statutes and regulations of this State and federal law and made available to the patients of the facility in accordance with those laws.]~~

~~(Deleted by amendment.)~~

~~Sec. 10. {1. If the Governor declares a public health emergency pursuant to section 3 of this act, notwithstanding the provisions of chapter 449 of NRS and any other statute or regulation of this State to the contrary, the Committee may, by an affirmative vote of the majority of the Committee, temporarily close a facility which provides health care, including, without limitation, a medical facility, facility for the dependent, medical laboratory or office of a provider of health care, if the Committee determines that:~~

~~(a) The facility is the cause of or significantly contributed to the public health emergency; and~~

~~(b) The health, safety or welfare of the public imperatively requires the emergency closure of the facility.~~

~~2. The Committee may not require the closure of a facility for longer than is necessary to ensure that the facility no longer poses an immediate threat to the health, safety or welfare of the public.~~

~~3. The Attorney General shall take such legal actions as are necessary and appropriate to carry out and enforce the vote of the Committee to close a facility.]~~

~~(Deleted by amendment.)~~

~~Sec. 11. {The Committee may:~~

~~1. Provide information to or otherwise educate providers of medical care and persons who are employed at facilities which provide health care to prevent and respond to public health emergencies, including, without limitation, education relating to the accepted standards for the control and prevention of disease;~~

~~2. Coordinate with the Centers for Disease Control and Prevention or other agency of the Federal Government in carrying out the provisions of sections 2 to 15, inclusive, of this act; and~~

~~3. Take such other actions as are necessary to resolve a public health emergency.] (Deleted by amendment.)~~

~~Sec. 12. {1. If the Governor declares a public health emergency pursuant to section 3 of this act, notwithstanding any other statute or regulation of this State to the contrary, the Committee may, by an affirmative vote of the majority of the Committee, adopt a resolution temporarily suspending the enforcement of a statute or regulation of this State which restricts the ability of a public agency, law enforcement agency or a political subdivision of this State to share information, medical records, reports, personnel or other resources if the Committee finds that:~~

~~(a) It is in the best interest of the public for the public agency, law enforcement agency or political subdivision to share information, medical records, reports, personnel or other resources; and~~

~~(b) The temporary suspension of the enforcement of the statute or regulation will protect the health and safety of the public.~~

~~2. A resolution adopted pursuant to this section must set forth the:~~

~~(a) Findings of fact which support suspending the enforcement of the statute or regulation;~~

~~(b) Specific statute or regulation, or part thereof, for which enforcement is being suspended; and~~

~~(c) Period during which such enforcement will be suspended, which must not be later than the date on which the public health emergency is resolved.~~

~~3. A resolution adopted pursuant to this section must be forwarded to the:~~

~~(a) Governor;~~

~~(b) State Board of Health;~~

~~(c) Legislature or, if the Legislature is not in session, to the Legislative Commission and the Legislative Committee on Health Care; and~~

~~(d) Public agency, law enforcement agency or political subdivision of this State which is responsible for enforcing the statute or regulation.} (Deleted by amendment.)~~

~~Sec. 13. [1. If the Governor declares a public health emergency pursuant to section 3 of this act and more than one public officer, public agency or political subdivision of this State has authority to oversee any aspect of the public health emergency, the Chairman of the Committee, with the approval of the Committee, shall create a subcommittee to:~~

~~(a) Investigate the underlying cause of the public health emergency;~~

~~(b) Make recommendations to the Committee concerning the response to and actions which must be taken to resolve the public health emergency;~~

~~(c) Assist the Committee in the coordination of the response to the public health emergency; and~~

~~(d) Provide reports and updates relating to the work of the subcommittee at the request of the Chairman of the Committee.~~

~~2. The membership of a subcommittee may consist of:~~

~~(a) If the public health emergency concerns a licensee of a professional licensing board created pursuant to title 54 of NRS, the chairman of each such professional licensing board;~~

~~(b) The administrative head of the district, county or city health department in the jurisdiction in which the emergency exists;~~

~~(c) The chairman of the board of health in the jurisdiction in which the emergency exists;~~

~~(d) The health officer in the jurisdiction in which the emergency exists;~~

~~(e) One or more members of the Committee; and~~

~~(f) Any other person deemed necessary by the Chairman of the Committee.~~

~~3. The Chairman of the Committee shall appoint the chairman of a subcommittee.~~

~~4. Within 30 days after the resolution of the public health emergency for which a subcommittee is created, the subcommittee shall be deemed dissolved.} (Deleted by amendment.)~~

~~Sec. 14. [1. In conducting the investigations and hearings of the Committee or a subcommittee created pursuant to section 13 of this act:~~

~~(a) The Secretary of the Committee or subcommittee, or in his absence any member of the Committee or a subcommittee, may administer oaths.~~

~~(b) The Chairman of the Committee or the chairman of a subcommittee may cause the deposition of witnesses, residing either within or outside of this State, to be taken in the manner prescribed by rule of court for taking depositions in civil actions in the district courts.~~

~~(c) The Chairman of the Committee or the chairman of a subcommittee may issue subpoenas to compel the attendance of witnesses and the production of books and papers.~~

~~2. If any witness refuses to attend or testify or produce any books and papers as required by the subpoena, the Chairman of the Committee or the chairman of a subcommittee may report to the district court by petition, setting forth that:~~

~~(a) Due notice has been given of the time and place of attendance of the witness or the production of the books and papers;~~

~~(b) The witness has been subpoenaed by the Committee or subcommittee pursuant to this section; and~~

~~(c) The witness has failed or refused to attend or produce the books and papers required by the subpoena before the Committee or subcommittee which is named in the subpoena, or has refused to answer questions propounded to him, and asking for an order of the court compelling the witness to attend and testify or produce the books and papers before the Committee or subcommittee.~~

~~3. Upon such petition, the court shall enter an order directing the witness to appear before the court at a time and place to be fixed by the court in its order, the time to be not more than 10 days after the date of the order, and to show cause why he has not attended or testified or produced the books or papers before the Committee or subcommittee. A certified copy of the order must be served upon the witness.~~

~~4. If it appears to the court that the subpoena was regularly issued by the Committee or subcommittee, the court shall enter an order that the witness appear before the Committee or subcommittee at the time and place fixed in the order and testify or produce the required books or papers. Failure to obey the order constitutes contempt of court.~~ (Deleted by amendment.)

Sec. 15. ~~[1. Except as otherwise provided in this section and NRS 439.538 or by resolution adopted pursuant to section 12 of this act, a person shall not make public the name of, or other personal identifying information about, any person whose medical information is provided to the Committee or a subcommittee created pursuant to section 13 of this act during the course of an investigation of a public health emergency without the consent of the person.~~

~~2. All information of a personal nature about the health of any person which is provided to the Committee or a subcommittee created pursuant to section 13 of this act during the course of an investigation of a public health emergency is confidential medical information and must not be disclosed to any person under any circumstances, including, without limitation, pursuant to any subpoena, search warrant or discovery proceeding, except:~~

~~(a) As otherwise provided in NRS 439.538.~~

~~(b) As otherwise provided by resolution adopted pursuant to section 12 of this act.~~

~~(c) For statistical purposes, if the identity of the person is not discernible from the information disclosed.~~

~~(d) In reporting the actual or suspected abuse or neglect of a child or elderly person.~~

~~(e) To any person who has a medical need to know the information for his own protection or for the well-being of a patient or dependent person, as determined by the Committee.~~

~~(f) If the person who is the subject of the information consents in writing to the disclosure.~~

~~(g) If the disclosure is made to the Department and the person about whom the disclosure is made has been diagnosed as having acquired immunodeficiency syndrome or an illness related to the human immunodeficiency virus and is a recipient of or an applicant for Medicaid.~~

~~(h) If the disclosure is authorized or required by NRS 239.0115 or another specific statute.] (Deleted by amendment.)~~

Sec. 15.1. As used in sections 15.1 to 15.9, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 15.2, 15.3 and 15.4 of this act have the meanings ascribed to them in those sections.

Sec. 15.2. "Emergency team" means an emergency team designated in an executive order of the Governor pursuant to section 15.5 of this act to respond to a public health emergency or other health event.

Sec. 15.3. "Health care facility" means any facility licensed pursuant to chapter 449 of NRS.

Sec. 15.4. "Provider of health care" has the meaning ascribed to it in NRS 629.031.

Sec. 15.5. 1. Except as otherwise provided in chapter 414 of NRS, if a health authority identifies within its jurisdiction a public health emergency or other health event that is an immediate threat to the health and safety of the public in a health care facility or the office of a provider of health care, the health authority shall immediately transmit to the Governor a report of the immediate threat.

2. Upon receiving a report pursuant to subsection 1, the Governor shall determine whether a public health emergency or other health event exists that requires a coordinated response for the health and safety of the public. If the Governor determines that a public health emergency or other health event exists that requires such a coordinated response, the Governor shall issue an executive order:

(a) Stating the nature of the public health emergency or other health event;

(b) Stating the conditions that have brought about the public health emergency or other health event, including, without limitation, an identification of each health care facility or provider of health care, if any, related to the public health emergency or other health event;

(c) Stating the estimated duration of the immediate threat to the health and safety of the public; and

(d) Designating an emergency team comprised of:

(1) The State Health Officer or a person appointed pursuant to subsection 5, as applicable; and

(2) Representatives of state agencies, divisions, boards and other entities, including, without limitation, professional licensing boards, with authority by statute to govern or regulate the health care facilities and providers of health care identified as being related to the public health emergency or other health event pursuant to paragraph (b).

3. If additional state agencies, divisions, boards or other entities are identified during the course of the response to the public health emergency or other health event as having authority regarding a health care facility or provider of health care that is related to the public health emergency or other health event, the Governor shall direct that agency, division, board or entity to appoint a representative to the emergency team.

4. The State Health Officer or a person appointed pursuant to subsection 5, as applicable, is the chairman of the emergency team.

1 5. If the State Health Officer has a conflict of interest relating to a public
2 health emergency or other health event or is otherwise unable to carry out his
3 duties pursuant to sections 15.1 to 15.9, inclusive, of this act, the Director shall
4 temporarily appoint a person to carry out the duties of the State Health Officer
5 prescribed in sections 15.1 to 15.9, inclusive, of this act until such time as the
6 public health emergency or other health event has been resolved or the State
7 Health Officer is able to resume his duties. The person appointed by the Director
8 must meet the requirements prescribed by subsection 1 of NRS 439.090.

9 6. The Governor shall immediately transmit the executive order to:

10 (a) The Legislature or, if the Legislature is not in session, to the Legislative
11 Commission and the Legislative Committee on Health Care; and

12 (b) Any person or entity deemed necessary or advisable by the Governor.

13 7. The Governor shall declare a public health emergency or other health
14 event terminated before the estimated duration stated in the executive order upon
15 a finding that the public health emergency or other health event no longer poses
16 an immediate threat to the health and safety of the public. Upon such a finding,
17 the Governor shall notify each person and entity described in subsection 6.

18 8. If a public health emergency or other health event lasts longer than the
19 estimated duration stated in the executive order, the Governor is not required to
20 reissue an executive order, but shall notify each person and entity identified in
21 subsection 6.

22 9. The Attorney General shall provide legal counsel to the emergency team.

23 Sec. 15.6. During a public health emergency or other health event, the
24 Governor may, upon consultation with the emergency team, request from a
25 governor of a contiguous state assistance in carrying out an inspection of any
26 health care facility or the office of a provider of health care. The Governor may
27 enter into an agreement for the provision of such services relating to inspections.

28 Sec. 15.7. 1. The emergency team shall:

29 (a) Convene as soon as practicable after the executive order is issued
30 pursuant to section 15.5 of this act; and

31 (b) Upon the advice of the Attorney General, investigate the response of each
32 state agency, division, board and other entity that is represented on the
33 emergency team to the public health emergency or other health event and work
34 cooperatively to ensure the sharing of any material information and coordinate a
35 response to the public health emergency or other health event with all the state
36 agencies, divisions, boards and other entities represented on the emergency team.

37 2. The scope of powers and duties of the emergency team extends only to
38 the respective jurisdiction of each state agency, division, board or other entity
39 represented on the team and does not supersede the authority of a health
40 authority to investigate the public health emergency or other health event within
41 its jurisdiction.

42 Sec. 15.8. The chairman of the emergency team or a member of the
43 emergency team designated by the chairman shall:

44 1. Provide information to the general public and ensure that the public
45 remains informed on the progress of the work of the emergency team.

46 2. Act as the liaison between the emergency team and the Governor, the
47 Speaker of the Assembly, the Majority Leader of the Senate, the Attorney General
48 and any other officer, agency or political subdivision of this State with an interest
49 in the response to and resolution of the public health emergency or other health
50 event.

51 3. Provide to the Governor and the Legislature or, if the Legislature is not
52 in session, to the Legislative Commission and the Legislative Committee on
53 Health Care:

(a) During the course of an investigation of a public health emergency or other health event, monthly updates, or more frequent updates if requested, on the progress of the work of the emergency team; and

(b) Upon the resolution of the issues involved in the public health emergency or other health event, a report on the findings of the emergency team and the action that was taken to resolve the public health emergency or other health event and any consequences thereof.

Sec. 15.9. Upon the resolution of a public health emergency or other health event, the emergency team shall:

1. Make recommendations to the State Board of Health and local boards of health with respect to regulations or policies which may be adopted to prevent public health emergencies and other health events or to improve responses to public health emergencies and other health events; and

2. Evaluate the response of each state agency, division, board or other entity represented on the emergency team and make recommendations to the Governor and the Legislature or, if the Legislature is not in session, to the Legislative Commission and the Legislative Committee on Health Care with respect to actions and measures that may be taken to improve such responses.

Sec. 16. NRS 439.130 is hereby amended to read as follows:

439.130 1. The State Health Officer shall:

(a) Enforce all laws and regulations pertaining to the public health.

(b) Investigate causes of disease, epidemics, source of mortality, nuisances affecting the public health, and all other matters related to the health and life of the people, and to this end he may enter upon and inspect any public or private property in the State.

(c) Direct the work of subordinates and may authorize them to act in his place and stead.

(d) Except as otherwise provided in subsection ~~5~~ of section ~~15.5~~ of this act, perform the duties prescribed in sections ~~15.1 to 15.9~~ 15.1 to 15.9, inclusive, of this act.

(e) Perform such other duties as the Director may, from time to time, prescribe.

2. The Administrator shall direct the work of the Health Division, administer the Division and perform such other duties as the Director may, from time to time, prescribe.

Sec. 17. NRS 439.150 is hereby amended to read as follows:

439.150 1. The State Board of Health is hereby declared to be supreme in all nonadministrative health matters. It has general supervision over all matters, except for administrative matters ~~and as otherwise provided in sections ~~15.1 to 15.9~~ 15.1 to 15.9, inclusive, of this act~~, relating to the preservation of the health and lives of citizens of this State and over the work of the State Health Officer and all district, county and city health departments, boards of health and health officers.

2. The Department is hereby designated as the agency of this State to cooperate with the federal authorities in the administration of those parts of the Social Security Act which relate to the general promotion of public health. It may receive and expend all money made available to the Health Division by the Federal Government, the State of Nevada or its political subdivisions, or from any other source, for the purposes provided in this chapter. In developing and revising any state plan in connection with federal assistance for health programs, the Department shall consider, without limitation, the amount of money available from the Federal Government for those programs, the conditions attached to the acceptance of that money and the limitations of legislative appropriations for those programs.

3. Except as otherwise provided in NRS 576.128, the State Board of Health may set reasonable fees for the:

1 (a) Licensing, registering, certifying, inspecting or granting of permits for any
2 facility, establishment or service regulated by the Health Division;

3 (b) Programs and services of the Health Division;

4 (c) Review of plans; and

5 (d) Certification and licensing of personnel.

6 ➔ Fees set pursuant to this subsection must be calculated to produce for that period
7 the revenue from the fees projected in the budget approved for the Health Division
8 by the Legislature.

9 **Sec. 18.** ~~{On or before January 1, 2010, the Committee on Public Health~~
10 ~~Emergencies created by section 5 of this act shall complete the plan for a~~
11 ~~coordinated response to public health emergencies required pursuant to section 9 of~~
12 ~~this act.}~~ **(Deleted by amendment.)**

13 **Sec. 19.** This act becomes effective on July 1, 2009.