

SENATE BILL NO. 54—COMMITTEE ON HEALTH AND EDUCATION

(ON BEHALF OF THE HEALTH DIVISION)

PREFILED DECEMBER 5, 2008

Referred to Committee on Health and Education

SUMMARY—Revises the qualifications of the State Health Officer. (BDR 40-336)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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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; revising provisions governing the State Health Officer; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the State Health Officer to be a citizen of the United States and to be licensed, or eligible for licensure, as a physician or administrative physician in Nevada. (NRS 439.090) **Section 1** of this bill revises those qualifications by requiring the State Health Officer to be a citizen of the United States, to have not less than 5 years' experience in population-based health care and to be either: (1) licensed or eligible for a license as a physician or administrative physician in Nevada; or (2) a physician or administrative physician who has a master's or doctoral degree in public health or a related field. **Section 2** of this bill provides that if the State Health Officer is not licensed to practice medicine in this State, he shall not, while carrying out his duties, engage in the practice of medicine. (NRS 439.130)

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

- Section 1.** NRS 439.090 is hereby amended to read as follows:
- 439.090 1. The State Health Officer must:
- (a) Be a citizen of the United States ~~and~~;
 - (b) *Have not less than 5 years' experience in population-based health care; and*
 - (c) Be ~~licensed,~~



(1) *Licensed* or eligible for ~~licensure~~ *a license* as a physician or administrative physician in Nevada ~~it~~; or

(2) *A physician or administrative physician who has a master's degree or doctoral degree in public health or a related field.*

2. The Administrator must have 2 years' experience, or the equivalent, in a responsible administrative position in:

(a) A full-time county or city health facility or department; or

(b) A major health program at a state or national level.

3. *As used in this section, "population-based health care" means the use of various approaches to medical care for specific groups or populations based upon common demographic characteristics, risk factors or diseases.*

Sec. 2. 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) Perform such other duties as the Director may, from time to time, prescribe.

↪ If the State Health Officer is not licensed to practice medicine in this State, he shall not, in carrying out his duties as the State Health Officer, engage in the practice of medicine.

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. 3. Notwithstanding the amendatory provisions of section 1 of this act, any person who, on the effective date of this act, is serving as the State Health Officer and who is otherwise qualified to serve as the State Health Officer on that date may continue to serve in that capacity until his successor is appointed by the Director of the Department of Health and Human Services pursuant to chapter 439 of NRS.

Sec. 4. This act becomes effective upon passage and approval.

