

## Amendment No. 710

Assembly Amendment to Senate Bill No. 419 First Reprint (BDR 40-518)

**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	<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 underlining* is newly added transitory language.

RRY/RBL



Date: 5/29/2011

S.B. No. 419—Establishes provisions relating to safe injection practices.  
(BDR 40-518)



SENATE BILL NO. 419—COMMITTEE ON  
HEALTH AND HUMAN SERVICES

MARCH 28, 2011

Referred to Committee on Health and Human Services

SUMMARY—Establishes provisions relating to safe injection practices.  
(BDR 40-518)FISCAL NOTE: Effect on Local Government: Increases or Newly Provides for  
Term of Imprisonment in County or City Jail or Detention  
Facility.  
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 certain persons ~~[and entities that]~~ **who** are licensed, registered or certified by the Health Division of the Department of Health and Human Services, certain district boards of health or certain boards which license, register or certify health care professionals to attest that they have knowledge of and are in compliance with certain guidelines concerning safe infection practices as a condition of the issuance or renewal of their licenses, registration or certificates; **requiring certain medical laboratories licensed by the Health Division and persons who register a radiation machine with the Health Division to provide similar attestations regarding certain employees;** and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

~~[This]~~ **Sections 1, 24 and 25-30 of this bill** ~~[requires]~~ **require** the Health Division of the Department of Health and Human Services, certain district boards of health and certain boards that license, register or certify health care professionals to require, as a condition of issuing or renewing a license, registration or certificate, that the applicant for issuance or renewal of the license, registration or certificate must attest to knowledge of and compliance with the guidelines of the Centers for Disease Control and Prevention concerning the prevention of transmission of infectious agents through safe and appropriate injection practices. **Sections 24.3 and 31 of this bill similarly require certain medical laboratories licensed by the Health Division and persons who register a radiation machine with the Health Division, as a condition of issuing or renewing a license or registration, to attest that certain employees have such knowledge of and are in compliance with such guidelines.**

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 a new section to read as follows:

*The Health Division shall not issue or renew a license for a home for individual residential care unless the applicant for issuance or renewal of the license attests to knowledge of and compliance with the guidelines of the Centers for Disease Control and Prevention concerning the prevention of transmission of infectious agents through safe and appropriate injection practices.*

**Sec. 2.** (Deleted by amendment.)

**Sec. 3.** (Deleted by amendment.)

**Sec. 4.** (Deleted by amendment.)

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

**Sec. 6.** (Deleted by amendment.)

**Sec. 7.** (Deleted by amendment.)

**Sec. 8.** (Deleted by amendment.)

**Sec. 9.** (Deleted by amendment.)

**Sec. 10.** (Deleted by amendment.)

**Sec. 11.** (Deleted by amendment.)

**Sec. 12.** (Deleted by amendment.)

**Sec. 13.** (Deleted by amendment.)

**Sec. 14.** (Deleted by amendment.)

**Sec. 15.** (Deleted by amendment.)

**Sec. 16.** (Deleted by amendment.)

**Sec. 17.** (Deleted by amendment.)

**Sec. 18.** (Deleted by amendment.)

**Sec. 19.** (Deleted by amendment.)

**Sec. 20.** (Deleted by amendment.)

**Sec. 21.** (Deleted by amendment.)

**Sec. 22.** (Deleted by amendment.)

**Sec. 23.** (Deleted by amendment.)

**Sec. 24.** Chapter 450B of NRS is hereby amended by adding thereto a new section to read as follows:

*The health authority shall not issue or renew:*

*1. A license to an attendant or firefighter; or*

*2. A certificate as an emergency medical technician,*

*unless the applicant for issuance or renewal of the license or certificate attests to knowledge of and compliance with the guidelines of the Centers for Disease Control and Prevention concerning the prevention of transmission of infectious agents through safe and appropriate injection practices.*

**Sec. 24.3.** Chapter 459 of NRS is hereby amended by adding thereto a new section to read as follows:

The Health Division shall not issue or renew the registration of a radiation machine pursuant to regulations adopted by the State Board of Health unless the applicant for issuance or renewal of the registration attests that the radiologic technologists and nuclear medicine technologists employed by the applicant have knowledge of and are in compliance with the guidelines of the Centers for Disease Control and Prevention concerning the prevention of transmission of infectious agents through safe and appropriate injection practices.

1       **Sec. 24.7. NRS 459.010 is hereby amended to read as follows:**

2       459.010 As used in NRS 459.010 to 459.290, inclusive, and section 24.3 of  
3 this act, unless the context requires otherwise:

4       1. "By-product material" means:

5       (a) Any radioactive material, except special nuclear material, yielded in or  
6 made radioactive by exposure to the radiation incident to the process of producing  
7 or making use of special nuclear material; and

8       (b) The tailings or wastes produced by the extraction or concentration of  
9 uranium or thorium from any ore which is processed primarily for the extraction of  
10 the uranium or thorium.

11       2. "General license" means a license effective pursuant to regulations adopted  
12 by the State Board of Health without the filing of an application to transfer, acquire,  
13 own, possess or use quantities of, or devices or equipment for utilizing, by-product  
14 material, source material, special nuclear material or other radioactive material  
15 occurring naturally or produced artificially.

16       3. "Health Division" means the Health Division of the Department of Health  
17 and Human Services.

18       4. "Ionizing radiation" means gamma rays and X rays, alpha and beta  
19 particles, high-speed electrons, neutrons, protons and other nuclear particles, but  
20 not sound or radio waves, or visible, infrared or ultraviolet light.

21       5. "Person" includes any agency or political subdivision of this State, any  
22 other state or the United States, but not the Nuclear Regulatory Commission or its  
23 successor, or any federal agency licensed by the Nuclear Regulatory Commission  
24 or any successor to such a federal agency.

25       6. "Source material" means:

26       (a) Uranium, thorium or any other material which the Governor declares by  
27 order to be source material after the Nuclear Regulatory Commission or any  
28 successor thereto has determined that material to be source material.

29       (b) Any ore containing one or more of the materials enumerated in paragraph  
30 (a) in such concentration as the Governor declares by order to be source material  
31 after the Nuclear Regulatory Commission or any successor thereto has determined  
32 the material in the concentration to be source material.

33       7. "Special nuclear material" means:

34       (a) Plutonium, uranium 233, uranium enriched in the isotope 233 or in the  
35 isotope 235 and any other material which the Governor declares by order to be  
36 special nuclear material after the Nuclear Regulatory Commission or any successor  
37 thereto has determined such material to be special nuclear material, but does not  
38 include source material.

39       (b) Any material artificially enriched by any of the materials enumerated in  
40 paragraph (a), but does not include source material.

41       8. "Specific license" means a license issued pursuant to the filing of an  
42 application to use, manufacture, produce, transfer, receive, acquire, own or possess  
43 quantities of, or devices or equipment for utilizing, by-product material, source  
44 material, special nuclear material or other radioactive material occurring naturally  
45 or produced artificially.

46       **Sec. 25.** Chapter 630 of NRS is hereby amended by adding thereto a new  
47 section to read as follows:

48       1. *The Board shall not issue or renew a license to practice as a physician,*  
49 *physician assistant or perfusionist unless the applicant for issuance or renewal of*  
50 *the license attests to knowledge of and compliance with the guidelines of the*  
51 *Centers for Disease Control and Prevention concerning the prevention of*  
52 *transmission of infectious agents through safe and appropriate injection*  
53 *practices.*

2. In addition to the attestation provided pursuant to subsection 1, a physician shall attest that any person:

(a) Who is under the control and supervision of the physician;

(b) Who is not licensed pursuant to this chapter; and

(c) Whose duties involve injection practices,

↳ has knowledge of and is in compliance with the guidelines of the Centers for Disease Control and Prevention concerning the prevention of transmission of infectious agents through safe and appropriate injection practices.

Sec. 26. Chapter 632 of NRS is hereby amended by adding thereto a new section to read as follows:

*The Board shall not issue or renew a license to practice as a professional nurse or a practical nurse unless the applicant for issuance or renewal of the license attests to knowledge of and compliance with the guidelines of the Centers for Disease Control and Prevention concerning the prevention of transmission of infectious agents through safe and appropriate injection practices.*

Sec. 27. Chapter 633 of NRS is hereby amended by adding thereto a new section to read as follows:

*The Board shall not issue or renew a license to practice osteopathic medicine or as a physician assistant unless the applicant for issuance or renewal of the license attests to knowledge of and compliance with the guidelines of the Centers for Disease Control and Prevention concerning the prevention of transmission of infectious agents through safe and appropriate injection practices.*

Sec. 28. Chapter 634A of NRS is hereby amended by adding thereto a new section to read as follows:

*The Board shall not issue or renew a license to practice Oriental medicine unless the applicant for issuance or renewal of the license attests to knowledge of and compliance with the guidelines of the Centers for Disease Control and Prevention concerning the prevention of transmission of infectious agents through safe and appropriate injection practices.*

Sec. 29. Chapter 635 of NRS is hereby amended by adding thereto a new section to read as follows:

*The Board shall not issue or renew a license to practice podiatry unless the applicant for issuance or renewal of the license attests to knowledge of and compliance with the guidelines of the Centers for Disease Control and Prevention concerning the prevention of transmission of infectious agents through safe and appropriate injection practices.*

Sec. 30. Chapter 639 of NRS is hereby amended by adding thereto a new section to read as follows:

*The Board shall not approve an application for registration or renewal of registration as a pharmacist or intern pharmacist unless the applicant for issuance or renewal of registration attests to knowledge of and compliance with the guidelines of the Centers for Disease Control and Prevention concerning the prevention of transmission of infectious agents through safe and appropriate injection practices.*

Sec. 31. Chapter 652 of NRS is hereby amended by adding thereto a new section to read as follows:

*The Health Division shall not issue or renew a license to a medical laboratory whose licensed personnel have job duties that include the administration of injections unless the applicant for issuance or renewal of the license attests that the laboratory director and laboratory personnel whose job duties include the administration of injections have knowledge of and are in compliance with the guidelines of the Centers for Disease Control and Prevention concerning the*

- 1 *prevention of transmission of infectious agents through safe and appropriate*
- 2 *injection practices.*