

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.

~

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 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:

1 **Sections 1, 24 and 25-30** of this bill require the Health Division of the
2 Department of Health and Human Services, certain district boards of health and
3 certain boards that license, register or certify health care professionals to require, as
4 a condition of issuing or renewing a license, registration or certificate, that the
5 applicant for issuance or renewal of the license, registration or certificate must
6 attest to knowledge of and compliance with the guidelines of the Centers for
7 Disease Control and Prevention concerning the prevention of transmission of
8 infectious agents through safe and appropriate injection practices. **Sections 24.3**
9 **and 31** of this bill similarly require certain medical laboratories licensed by the
10 Health Division and persons who register a radiation machine with the Health



* S B 4 1 9 R 2 *

11 Division, as a condition of issuing or renewing a license or registration, to attest
12 that certain employees have such knowledge of and are in compliance with such
13 guidelines.

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
2 thereto a new section to read as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

33 *The health authority shall not issue or renew:*

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

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

36 *↪ unless the applicant for issuance or renewal of the license or*
37 *certificate attests to knowledge of and compliance with the*
38 *guidelines of the Centers for Disease Control and Prevention*



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

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

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

14 **Sec. 24.7.** NRS 459.010 is hereby amended to read as follows:
15 459.010 As used in NRS 459.010 to 459.290, inclusive, *and*
16 *section 24.3 of this act*, unless the context requires otherwise:

17 1. "By-product material" means:

18 (a) Any radioactive material, except special nuclear material,
19 yielded in or made radioactive by exposure to the radiation incident
20 to the process of producing or making use of special nuclear
21 material; and

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

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

31 3. "Health Division" means the Health Division of the
32 Department of Health and Human Services.

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

37 5. "Person" includes any agency or political subdivision of this
38 State, any other state or the United States, but not the Nuclear
39 Regulatory Commission or its successor, or any federal agency
40 licensed by the Nuclear Regulatory Commission or any successor to
41 such a federal agency.

42 6. "Source material" means:

43 (a) Uranium, thorium or any other material which the Governor
44 declares by order to be source material after the Nuclear Regulatory



1 Commission or any successor thereto has determined that material
2 to be source material.

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

8 7. "Special nuclear material" means:

9 (a) Plutonium, uranium 233, uranium enriched in the isotope
10 233 or in the isotope 235 and any other material which the Governor
11 declares by order to be special nuclear material after the Nuclear
12 Regulatory Commission or any successor thereto has determined
13 such material to be special nuclear material, but does not include
14 source material.

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

17 8. "Specific license" means a license issued pursuant to the
18 filing of an application to use, manufacture, produce, transfer,
19 receive, acquire, own or possess quantities of, or devices or
20 equipment for utilizing, by-product material, source material,
21 special nuclear material or other radioactive material occurring
22 naturally or produced artificially.

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

25 *1. The Board shall not issue or renew a license to practice as*
26 *a physician, physician assistant or perfusionist unless the*
27 *applicant for issuance or renewal of the license attests to*
28 *knowledge of and compliance with the guidelines of the Centers*
29 *for Disease Control and Prevention concerning the prevention of*
30 *transmission of infectious agents through safe and appropriate*
31 *injection practices.*

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

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

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

36 *(c) Whose duties involve injection practices,*

37 *↪ has knowledge of and is in compliance with the guidelines of*
38 *the Centers for Disease Control and Prevention concerning the*
39 *prevention of transmission of infectious agents through safe and*
40 *appropriate injection practices.*

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

43 *The Board shall not issue or renew a license to practice as a*
44 *professional nurse or a practical nurse unless the applicant for*
45 *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



* S B 4 1 9 R 2 *

- 1 *compliance with the guidelines of the Centers for Disease Control*
- 2 *and Prevention concerning the prevention of transmission of*
- 3 *infectious agents through safe and appropriate injection practices.*

