

ASSEMBLY BILL NO. 300—ASSEMBLYWOMAN MILLER

MARCH 18, 2019

Referred to Committee on Government Affairs

SUMMARY—Makes various changes relating to veterans.
(BDR 37-95)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
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 veterans; providing for the collection and reporting of certain information relating to the health of veterans; providing for outreach and continuing education concerning certain issues relating to the health of veterans; requiring the statewide information and referral system to provide nonemergency information and referrals to the general public to include information concerning service-connected disabilities and diseases; authorizing professional discipline for willful failure to comply with requirements concerning the collection of information; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Director of the Department of Veterans Services to assist veterans and their family members in obtaining benefits and to disseminate information relating to veterans' benefits. (NRS 417.090) **Section 5** of this bill requires the Director to: (1) prescribe a questionnaire for veterans concerning their experience in the military and any service-connected disabilities and diseases; and (2) annually submit the information obtained through the questionnaire to the Division of Public and Behavioral Health of the Department of Health and Human Services. **Section 6** of this bill requires the Director to conduct public outreach programs to provide information and raise public awareness concerning service-connected disabilities and diseases and survivor benefits available to family members of veterans. **Section 6** also requires the Director to collaborate with certain nonprofit organizations to identify veterans and descendants of veterans who have service-connected diseases and refer such persons for appropriate services. **Section 7** of this bill requires the Director to: (1) collaborate with the United States Department of Veterans Affairs when carrying out the provisions of this bill; and (2) submit to the Governor and the Legislature an annual report



* A B 3 0 0 *

concerning the measures taken by the Director to carry out the provisions of this bill.

Existing law requires the Department of Health and Human Services to establish and maintain a statewide information and referral system to provide nonemergency information and referrals to the general public concerning the health, welfare, human and social services provided by public or private entities in this State. (NRS 232.359) **Section 8** of this bill requires that system to include information concerning service-connected disabilities and diseases.

Section 9 of this bill requires the Division of Public and Behavioral Health to establish free continuing education courses concerning issues related to the health of veterans, including service-connected disabilities and diseases, for providers of health care and certain other persons. **Section 9** also requires the Division to compile and submit to the Governor, the Department of Veterans Services and the Legislative Committee on Senior Citizens, Veterans and Adults with Special Needs an annual report on the health of veterans in this State.

Sections 10-12, 14-16, 18 and 20 of this bill require certain providers of health care to ask each new patient or client who is over 18 years of age if he or she is a veteran and report to their licensing boards the number of patients who stated that they are veterans. **Sections 10-12, 14-16, 18 and 20** require the licensing boards that receive such information to submit to the Division of Public and Behavioral Health an annual summary of the information. **Sections 13, 17, 19 and 21** of this bill authorize the imposition of professional discipline against an osteopathic physician or physician assistant, marriage and family therapist, clinical professional counselor, clinical social worker, alcohol and drug abuse counselor, clinical alcohol and drug abuse counselor or problem gambling counselor who willfully fails to comply with the requirements of this bill. Such professional discipline is also authorized against other providers of health care who willfully fail to comply with that requirement. (NRS 630.3065, 632.347, 634.018, 641.230)

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

Section 1. Chapter 417 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 7, inclusive, of this act.

Sec. 2. *As used in sections 2 to 7, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 3 and 4 of this act have the meanings ascribed to them in those sections.*

Sec. 3. *“Provider of health care” means a physician, physician assistant, advanced practice registered nurse, osteopathic physician, chiropractor, psychologist, marriage and family therapist, clinical professional counselor, clinical social worker, alcohol and drug abuse counselor, clinical alcohol and drug abuse counselor or problem gambling counselor.*

Sec. 4. *“Veteran” means a person who:*

1. Was regularly enlisted, drafted, inducted or commissioned in the:



- 1 (a) *Armed Forces of the United States;*
2 (b) *National Guard or a reserve component of the Armed*
3 *Forces of the United States; or*
4 (c) *Commissioned Corps of the United States Public Health*
5 *Service or the Commissioned Corps of the National Oceanic and*
6 *Atmospheric Administration of the United States; and*
7 2. *Was separated from such service under conditions other*
8 *than dishonorable.*

9 **Sec. 5.** 1. *The Director shall develop and post on an*
10 *Internet website maintained by the Department a questionnaire to*
11 *be given to veterans who contact the Department using*
12 *information provided by providers of health care pursuant to*
13 *sections 10, 11, 12, 14, 15, 16, 18 and 20 of this act. The*
14 *questionnaire must be designed to obtain information concerning:*

15 (a) *The veteran's experience in the military, including, without*
16 *limitation, the branch of the military in which the veteran served,*
17 *the veteran's job while in the military, any battle, conflict or war*
18 *in which the veteran served and the locations where the veteran*
19 *was stationed;*

20 (b) *Any service-connected disabilities and diseases, including,*
21 *without limitation, diseases presumed to be service-connected*
22 *pursuant to 38 C.F.R. §§ 3.303 to 3.344, inclusive, from which the*
23 *veteran may suffer; and*

24 (c) *Whether the veteran is enrolled with and receiving benefits*
25 *from the United States Department of Veterans Affairs.*

26 2. *On or before January 31 of each year, the Director shall*
27 *submit the information obtained pursuant to this section to the*
28 *Division of Public and Behavioral Health of the Department of*
29 *Health and Human Services.*

30 **Sec. 6.** 1. *The Director shall conduct public outreach*
31 *programs which may include, without limitation, public service*
32 *announcements and the distribution of brochures and other media*
33 *for display in the offices of persons who provide services to*
34 *veterans and the families of veterans. Such programs must be*
35 *designed to provide information and raise public awareness*
36 *concerning:*

37 (a) *Service-connected disabilities and diseases, including,*
38 *without limitation, diseases presumed to be service-connected*
39 *pursuant to 38 C.F.R. §§ 3.303 to 3.344, inclusive; and*

40 (b) *Survivor benefits available to family members of veterans.*

41 2. *The Director shall collaborate with nonprofit organizations*
42 *that provide services to veterans and their families, including,*
43 *without limitation, the American Heart Association or its*
44 *successor organization, the American Lung Association or its*



1 *successor organization and the Leukemia and Lymphoma Society*
2 *or its successor organization, to:*

3 (a) *Identify veterans and the children and grandchildren of*
4 *veterans who have service-connected disabilities and diseases,*
5 *including, without limitation, diseases presumed to be service-*
6 *connected pursuant to 38 C.F.R. §§ 3.303 to 3.344, inclusive; and*

7 (b) *Refer any such persons to appropriate services offered by*
8 *the United States Department of Veterans Affairs.*

9 **Sec. 7. The Director shall:**

10 1. *Collaborate with the United States Department of Veterans*
11 *Affairs to carry out the duties prescribed by sections 5 and 6 of*
12 *this act.*

13 2. *On or before January 31 of each year, submit to the*
14 *Governor and the Director of the Legislative Counsel Bureau for*
15 *transmittal to the Legislature a report that includes, without*
16 *limitation:*

17 (a) *A description of the actions taken during the immediately*
18 *preceding year pursuant to section 6 of this act and an evaluation*
19 *of the effectiveness of those actions; and*

20 (b) *A summary of any referrals made pursuant to subsection 2*
21 *of section 6 of this act during the immediately preceding year.*

22 **Sec. 8. NRS 232.359 is hereby amended to read as follows:**

23 232.359 1. The Department, in collaboration with any state
24 or local agencies or community-based organizations which provide
25 information and referral services concerning health, welfare, human
26 and social services and any group established by the Governor to
27 implement a statewide information and referral system concerning
28 health, welfare, human and social services, shall establish and
29 maintain a statewide information and referral system to provide
30 nonemergency information and referrals to the general public
31 concerning the health, welfare, human and social services provided
32 by public or private entities in this State. The system must:

33 (a) Integrate any information and referral systems previously
34 established by state agencies, local agencies or community-based
35 organizations with the system established pursuant to this section;

36 (b) Be the sole system in this State which is accessible to a
37 person by dialing the digits 2-1-1 and which provides nonemergency
38 information and referrals to the general public concerning the
39 health, welfare, human and social services provided by public or
40 private entities in this State;

41 (c) Be accessible to a person using the public telephone system
42 by dialing the digits 2-1-1; ~~and~~

43 (d) Include information that is updated periodically ~~[-]~~; and

44 (e) *Include information concerning service-connected*
45 *disabilities and diseases, including, without limitation, diseases*



presumed to be service-connected pursuant to 38 C.F.R. §§ 3.303 to 3.344, inclusive.

2. In establishing the statewide information and referral system, the Department, any state or local agencies or community-based organizations which provide information and referral services concerning health, welfare, human and social services and any group established by the Governor to implement a statewide information and referral system concerning health, welfare, human and social services shall consult with representatives of:

(a) The Public Utilities Commission of Nevada;

(b) Telephone companies which provide service through a local exchange in this State;

(c) Companies that provide wireless phone services in this State;

(d) Existing information and referral services established by state agencies, local agencies or community-based organizations;

(e) State and local agencies or other organizations that provide health, welfare, human and social services;

(f) Nonprofit organizations; and

(g) Such other agencies, entities and organizations as determined necessary by the Department, any state or local agencies or community-based organizations which provide information and referral services concerning health, welfare, human and social services or any group established by the Governor to implement a statewide information and referral system concerning health, welfare, human and social services.

3. The Public Utilities Commission of Nevada, each telephone company which provides service through a local exchange in this State and each company that provides wireless phone services in this State shall cooperate with the Department, any state or local agencies or community-based organizations which provide information and referral services concerning health, welfare, human and social services and any group established by the Governor to implement a statewide information and referral system concerning health, welfare, human and social services in the establishment of the statewide information and referral system.

Sec. 9. Chapter 439 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Division shall, in collaboration with the United States Department of Veterans Affairs, establish continuing education courses concerning the health of veterans and make those courses available at no cost to providers of health care, as defined in section 3 of this act, and any person who provides services related to the health or welfare of veterans and family members of veterans.



2. Continuing education courses established pursuant to subsection 1 must include, without limitation, information concerning service-connected disabilities and diseases, including, without limitation, diseases presumed to be service-connected pursuant to 38 C.F.R. §§ 3.303 to 3.344, inclusive.

3. On or before April 1 of each year, the Division shall:

(a) Compile a report concerning the health of veterans in this State. The report must include, without limitation:

(1) Information concerning trends in cancers, other illnesses and deaths related to service-connected disabilities and diseases, including, without limitation, diseases presumed to be service-connected pursuant to 38 C.F.R. §§ 3.303 to 3.344; and

(2) A summary of the information submitted to the Division pursuant to sections 5, 10, 11, 12, 14, 15, 16, 18 and 20 of this act.

(b) Submit the report to the Governor, the Department of Veterans Services and the Director of the Legislative Counsel Bureau for transmittal to the Legislative Committee on Senior Citizens, Veterans and Adults with Special Needs created by NRS 218E.750.

Sec. 10. Chapter 630 of NRS is hereby amended by adding thereto a new section to read as follows:

1. Except as otherwise provided in subsection 2, a physician or physician assistant shall:

(a) Ask each new patient who is 18 years of age or older if he or she is a veteran and document the response in the medical record of the patient;

(b) Provide the contact information for the Department of Veterans Services to any such patient who indicates that he or she is a veteran; and

(c) Maintain a record of compliance with the provisions of this section.

2. A physician or physician assistant is not required to perform the duties prescribed by subsection 1 if, after reviewing the medical record of a new patient, the physician or physician assistant determines that the patient is not a veteran.

3. A physician shall include with each application for biennial registration pursuant to NRS 630.267 and a physician assistant shall include in each application for the renewal of his or her license a statement of:

(a) The total number of patients served by the physician or physician assistant during each of the immediately preceding 2 years; and

(b) The number of those patients who reported pursuant to subsection 1 that they are veterans.



4. On or before January 31 of each year, the Board shall report to the Division of Public and Behavioral Health of the Department of Health and Human Services a summary of the information submitted pursuant to subsection 3 during the immediately preceding year.

5. As used in this section, "veteran" has the meaning ascribed to it in section 4 of this act.

Sec. 11. Chapter 632 of NRS is hereby amended by adding thereto a new section to read as follows:

1. Except as otherwise provided in subsection 2, an advanced practice registered nurse shall:

(a) Ask each new patient who is 18 years of age or older if he or she is a veteran and document the response in the medical record of the patient;

(b) Provide the contact information for the Department of Veterans Services to any such patient who indicates that he or she is a veteran; and

(c) Maintain a record of compliance with the provisions of this section.

2. An advanced practice registered nurse is not required to perform the duties prescribed by subsection 1 if, after reviewing the medical record of a new patient, the advanced practice registered nurse determines that the patient is not a veteran.

3. An advanced practice registered nurse shall include in each application for the renewal of his or her license a statement of:

(a) The total number of patients served by the advanced practice registered nurse during each of the immediately preceding 2 years; and

(b) The number of those patients who reported pursuant to subsection 1 that they are veterans.

4. On or before January 31 of each year, the Board shall report to the Division of Public and Behavioral Health of the Department of Health and Human Services a summary of the information submitted pursuant to subsection 3 during the immediately preceding year.

5. As used in this section, "veteran" has the meaning ascribed to it in section 4 of this act.

Sec. 12. Chapter 633 of NRS is hereby amended by adding thereto a new section to read as follows:

1. Except as otherwise provided in subsection 2, an osteopathic physician or physician assistant shall:

(a) Ask each new patient who is 18 years of age or older if he or she is a veteran and document the response in the medical record of the patient;



(b) Provide the contact information for the Department of Veterans Services to any such patient who indicates that he or she is a veteran; and

(c) Maintain a record of compliance with the provisions of this section.

2. An osteopathic physician or physician assistant is not required to perform the duties prescribed by subsection 1 if, after reviewing the medical record of a new patient, the osteopathic physician or physician assistant determines that the patient is not a veteran.

3. An osteopathic physician or physician assistant shall include with each application for the renewal of his or her license a statement of:

(a) The total number of patients served by the osteopathic physician or physician assistant during the immediately preceding year; and

(b) The number of those patients who reported pursuant to subsection 1 that they are veterans.

4. On or before January 31 of each year, the Board shall report to the Division of Public and Behavioral Health of the Department of Health and Human Services a summary of the information submitted pursuant to subsection 3 during the immediately preceding year.

5. As used in this section, “veteran” has the meaning ascribed to it in section 4 of this act.

Sec. 13. NRS 633.511 is hereby amended to read as follows:

633.511 1. The grounds for initiating disciplinary action pursuant to this chapter are:

(a) Unprofessional conduct.

(b) Conviction of:

(1) A violation of any federal or state law regulating the possession, distribution or use of any controlled substance or any dangerous drug as defined in chapter 454 of NRS;

(2) A felony relating to the practice of osteopathic medicine or practice as a physician assistant;

(3) A violation of any of the provisions of NRS 616D.200, 616D.220, 616D.240 or 616D.300 to 616D.440, inclusive;

(4) Murder, voluntary manslaughter or mayhem;

(5) Any felony involving the use of a firearm or other deadly weapon;

(6) Assault with intent to kill or to commit sexual assault or mayhem;

(7) Sexual assault, statutory sexual seduction, incest, lewdness, indecent exposure or any other sexually related crime;



(8) Abuse or neglect of a child or contributory delinquency;
or

(9) Any offense involving moral turpitude.

(c) The suspension of a license to practice osteopathic medicine or to practice as a physician assistant by any other jurisdiction.

(d) Malpractice or gross malpractice, which may be evidenced by a claim of malpractice settled against a licensee.

(e) Professional incompetence.

(f) Failure to comply with the requirements of NRS 633.527.

(g) Failure to comply with the requirements of subsection 3 of NRS 633.471.

(h) Failure to comply with the provisions of NRS 633.694.

(i) Operation of a medical facility, as defined in NRS 449.0151, at any time during which:

(1) The license of the facility is suspended or revoked; or

(2) An act or omission occurs which results in the suspension or revocation of the license pursuant to NRS 449.160.

➤ This paragraph applies to an owner or other principal responsible for the operation of the facility.

(j) Failure to comply with the provisions of subsection 2 of NRS 633.322.

(k) Signing a blank prescription form.

(l) Knowingly or willfully procuring or administering a controlled substance or a dangerous drug as defined in chapter 454 of NRS that is not approved by the United States Food and Drug Administration, unless the unapproved controlled substance or dangerous drug:

(1) Was procured through a retail pharmacy licensed pursuant to chapter 639 of NRS;

(2) Was procured through a Canadian pharmacy which is licensed pursuant to chapter 639 of NRS and which has been recommended by the State Board of Pharmacy pursuant to subsection 4 of NRS 639.2328;

(3) Is marijuana being used for medical purposes in accordance with chapter 453A of NRS; or

(4) Is an investigational drug or biological product prescribed to a patient pursuant to NRS 630.3735 or 633.6945.

(m) Attempting, directly or indirectly, by intimidation, coercion or deception, to obtain or retain a patient or to discourage the use of a second opinion.

(n) Terminating the medical care of a patient without adequate notice or without making other arrangements for the continued care of the patient.

(o) In addition to the provisions of subsection 3 of NRS 633.524, making or filing a report which the licensee knows to be



1 false, failing to file a record or report that is required by law or
2 knowingly or willfully obstructing or inducing another to obstruct
3 the making or filing of such a record or report.

4 (p) Failure to report any person the licensee knows, or has
5 reason to know, is in violation of the provisions of this chapter or
6 the regulations of the Board within 30 days after the date the
7 licensee knows or has reason to know of the violation.

8 (q) Failure by a licensee or applicant to report in writing, within
9 30 days, any criminal action taken or conviction obtained against the
10 licensee or applicant, other than a minor traffic violation, in this
11 State or any other state or by the Federal Government, a branch of
12 the Armed Forces of the United States or any local or federal
13 jurisdiction of a foreign country.

14 (r) Engaging in any act that is unsafe in accordance with
15 regulations adopted by the Board.

16 (s) Failure to comply with the provisions of NRS 629.515.

17 (t) Failure to supervise adequately a medical assistant pursuant
18 to the regulations of the Board.

19 (u) Failure to obtain any training required by the Board pursuant
20 to NRS 633.473.

21 (v) Failure to comply with the provisions of NRS 633.6955.

22 (w) Failure to comply with the provisions of NRS 453.163,
23 453.164, 453.226, 639.23507, 639.2391 to 639.23916, inclusive,
24 and any regulations adopted by the State Board of Pharmacy
25 pursuant thereto.

26 (x) Fraudulent, illegal, unauthorized or otherwise inappropriate
27 prescribing, administering or dispensing of a controlled substance
28 listed in schedule II, III or IV.

29 (y) Failure to comply with the provisions of NRS 454.217 or
30 629.086.

31 (z) *Willful failure to comply with the provisions of section 12*
32 *of this act.*

33 2. As used in this section, “investigational drug or biological
34 product” has the meaning ascribed to it in NRS 454.351.

35 **Sec. 14.** Chapter 634 of NRS is hereby amended by adding
36 thereto a new section to read as follows:

37 *1. Except as otherwise provided in subsection 2, a*
38 *chiropractor shall:*

39 *(a) Ask each new patient who is 18 years of age or older if he*
40 *or she is a veteran and document the response in the record of the*
41 *patient;*

42 *(b) Provide the contact information for the Department of*
43 *Veterans Services to any such patient who indicates that he or she*
44 *is a veteran; and*



(c) *Maintain a record of compliance with the provisions of this section.*

2. *A chiropractor is not required to perform the duties prescribed by subsection 1 if, after reviewing the record of a new patient, the chiropractor determines that the patient is not a veteran.*

3. *A chiropractor shall include with each application for the renewal of his or her license a statement of:*

(a) *The total number of patients served by the chiropractor during each of the immediately preceding 2 years; and*

(b) *The number of those patients who reported pursuant to subsection 1 that they are veterans.*

4. *On or before January 31 of each year, the Board shall report to the Division of Public and Behavioral Health of the Department of Health and Human Services a summary of the information submitted pursuant to subsection 3 during the immediately preceding year.*

5. *As used in this section, "veteran" has the meaning ascribed to it in section 4 of this act.*

Sec. 15. Chapter 641 of NRS is hereby amended by adding thereto a new section to read as follows:

1. *Except as otherwise provided in subsection 2, a psychologist shall:*

(a) *Ask each new patient who is 18 years of age or older if he or she is a veteran and document the response in the record of the patient;*

(b) *Provide the contact information for the Department of Veterans Services to any such patient who indicates that he or she is a veteran; and*

(c) *Maintain a record of compliance with the provisions of this section.*

2. *A psychologist is not required to perform the duties prescribed by subsection 1 if, after reviewing the record of a new patient, the psychologist determines that the patient is not a veteran.*

3. *A psychologist shall include with each application for the renewal of his or her license a statement of:*

(a) *The total number of patients served by the psychologist during each of the immediately preceding 2 years; and*

(b) *The number of those patients who reported pursuant to subsection 1 that they are veterans.*

4. *On or before January 31 of each year, the Board shall report to the Division of Public and Behavioral Health of the Department of Health and Human Services a summary of*



the information submitted pursuant to subsection 3 during the immediately preceding year.

5. As used in this section, “veteran” has the meaning ascribed to it in section 4 of this act.

Sec. 16. Chapter 641A of NRS is hereby amended by adding thereto a new section to read as follows:

1. Except as otherwise provided in subsection 2, a marriage and family therapist or clinical professional counselor shall:

(a) Ask each new client who is 18 years of age or older if he or she is a veteran and document the response in the record of the client;

(b) Provide the contact information for the Department of Veterans Services to any such client who indicates that he or she is a veteran; and

(c) Maintain a record of compliance with the provisions of this section.

2. A marriage and family therapist or clinical professional counselor is not required to perform the duties prescribed by subsection 1 if, after reviewing the record of a new client, the marriage and family therapist or clinical professional counselor determines that the client is not a veteran.

3. A marriage and family therapist or clinical professional counselor shall include with each application for the renewal of his or her license a statement of:

(a) The total number of clients served by the marriage and family therapist or clinical professional counselor during the immediately preceding year; and

(b) The number of those clients who reported pursuant to subsection 1 that they are veterans.

4. On or before January 31 of each year, the Board shall report to the Division of Public and Behavioral Health of the Department of Health and Human Services a summary of the information submitted pursuant to subsection 3 during the immediately preceding year.

5. As used in this section, “veteran” has the meaning ascribed to it in section 4 of this act.

Sec. 17. NRS 641A.310 is hereby amended to read as follows:

641A.310 The Board may refuse to grant a license or may suspend or revoke a license for any of the following reasons:

1. Conviction of a felony relating to the practice of marriage and family therapy or clinical professional counseling or of any offense involving moral turpitude, the record of conviction being conclusive evidence thereof.

2. Habitual drunkenness or addiction to the use of a controlled substance.



3. Impersonating a licensed marriage and family therapist, marriage and family therapist intern, clinical professional counselor or clinical professional counselor intern or allowing another person to use his or her license.

4. Using fraud or deception in applying for a license or in passing the examination provided for in this chapter.

5. Rendering or offering to render services outside the area of his or her training, experience or competence.

6. Committing unethical practices contrary to the interest of the public as determined by the Board.

7. Unprofessional conduct as determined by the Board.

8. Negligence, fraud or deception in connection with services he or she is licensed to provide pursuant to this chapter.

9. *Willful failure to comply with the requirements of section 16 of this act.*

10. Operation of a medical facility, as defined in NRS 449.0151, at any time during which:

(a) The license of the facility is suspended or revoked; or

(b) An act or omission occurs which results in the suspension or revocation of the license pursuant to NRS 449.160.

➤ This subsection applies to an owner or other principal responsible for the operation of the facility.

Sec. 18. Chapter 641B of NRS is hereby amended by adding thereto a new section to read as follows:

1. *Except as otherwise provided in subsection 2, a clinical social worker shall:*

(a) *Ask each new client who is 18 years of age or older if he or she is a veteran and document the response in the record of the client;*

(b) *Provide the contact information for the Department of Veterans Services to any such client who indicates that he or she is a veteran; and*

(c) *Maintain a record of compliance with the provisions of this section.*

2. *A clinical social worker is not required to perform the duties prescribed by subsection 1 if, after reviewing the record of a new client, the clinical social worker determines that the client is not a veteran.*

3. *A clinical social worker shall include with each application for the renewal of his or her license a statement of:*

(a) *The total number of clients served by the clinical social worker during the immediately preceding year; and*

(b) *The number of those clients who reported pursuant to subsection 1 that they are veterans.*



4. *On or before January 31 of each year, the Board shall report to the Division of Public and Behavioral Health of the Department of Health and Human Services a summary of the information submitted pursuant to subsection 3 during the immediately preceding year.*

5. *As used in this section, "veteran" has the meaning ascribed to it in section 4 of this act.*

Sec. 19. NRS 641B.400 is hereby amended to read as follows:

641B.400 The grounds for initiating disciplinary action pursuant to this chapter are:

1. Unprofessional conduct;

2. Conviction of:

(a) A felony relating to the practice of social work;

(b) Any offense involving moral turpitude; or

(c) A violation of any federal or state law regulating the possession, distribution or use of any controlled substance or dangerous drug as defined in chapter 454 of NRS;

3. Use of fraud or deception in:

(a) Applying for a license;

(b) Undergoing the initial licensing examination; or

(c) Rendering services as a social worker;

4. Allowing unauthorized use of a license issued pursuant to this chapter;

5. Professional incompetence;

6. Practicing social work without a license;

7. The habitual use of alcohol or any controlled substance which impairs the ability to practice social work; ~~and~~

8. *Willful failure to comply with the requirements of section 18 of this act; and*

9. Operation of a medical facility, as defined in NRS 449.0151, at any time during which:

(a) The license of the facility is suspended or revoked; or

(b) An act or omission occurs which results in the suspension or revocation of the license pursuant to NRS 449.160.

➤ This subsection applies to an owner or other principal responsible for the operation of the facility.

Sec. 20. Chapter 641C of NRS is hereby amended by adding thereto a new section to read as follows:

1. *Except as otherwise provided in subsection 2, an alcohol and drug abuse counselor, clinical alcohol and drug abuse counselor or problem gambling counselor shall:*

(a) *Ask each new client who is 18 years of age or older if he or she is a veteran and document the response in the record of the client;*



(b) Provide the contact information for the Department of Veterans Services to any such client who indicates that he or she is a veteran; and

(c) Maintain a record of compliance with the provisions of this section.

2. An alcohol and drug abuse counselor, clinical alcohol and drug abuse counselor or problem gambling counselor is not required to perform the duties prescribed by subsection 1 if, after reviewing the record of a new client, the alcohol and drug abuse counselor, clinical alcohol and drug abuse counselor or problem gambling counselor determines that the client is not a veteran.

3. An alcohol and drug abuse counselor, clinical alcohol and drug abuse counselor or problem gambling counselor shall include with each application for the renewal of his or her license a statement of:

(a) The total number of clients served by the alcohol and drug abuse counselor, clinical alcohol and drug abuse counselor or problem gambling counselor during the immediately preceding year; and

(b) The number of those clients who reported pursuant to subsection 1 that they are veterans.

4. On or before January 31 of each year, the Board shall report to the Division of Public and Behavioral Health of the Department of Health and Human Services a summary of the information submitted pursuant to subsection 3 during the immediately preceding year.

5. As used in this section, "veteran" has the meaning ascribed to it in section 4 of this act.

Sec. 21. NRS 641C.700 is hereby amended to read as follows:

641C.700 The grounds for initiating disciplinary action pursuant to the provisions of this chapter include:

1. Conviction of:

(a) A felony relating to the practice of counseling alcohol and drug abusers, the clinical practice of counseling alcohol and drug abusers or the practice of counseling problem gamblers;

(b) An offense involving moral turpitude; or

(c) A violation of a federal or state law regulating the possession, distribution or use of a controlled substance or dangerous drug as defined in chapter 453 of NRS;

2. Fraud or deception in:

(a) Applying for a license or certificate;

(b) Taking an examination for a license or certificate;

(c) Documenting the continuing education required to renew or reinstate a license or certificate;

(d) Submitting a claim for payment to an insurer; or



(e) The practice of counseling alcohol and drug abusers or the clinical practice of counseling alcohol and drug abusers;

3. Allowing the unauthorized use of a license or certificate issued pursuant to this chapter;

4. Professional incompetence;

5. The habitual use of alcohol or any other drug that impairs the ability of a licensed or certified counselor or certified intern to engage in the practice of counseling alcohol and drug abusers or the clinical practice of counseling alcohol and drug abusers;

6. Engaging in the practice of counseling alcohol and drug abusers, the practice of counseling problem gamblers or the clinical practice of counseling alcohol and drug abusers with an inactive, expired, suspended or revoked license or certificate;

7. Engaging in behavior that is contrary to the ethical standards as set forth in the regulations of the Board; ~~and~~

8. *Willful failure to comply with the requirements of section 20 of this act; and*

9. The operation of a medical facility, as defined in NRS 449.0151, at any time during which:

(a) The license of the facility is suspended or revoked; or

(b) An act or omission occurs which results in the suspension or revocation of the license pursuant to NRS 449.160.

➤ This subsection applies to an owner or other principal responsible for the operation of the facility.

Sec. 22. The provisions of subsection 1 of NRS 218D.380 do not apply to any provision of this act which adds or revises a requirement to submit a report to the Legislature.

Sec. 23. This act becomes effective on July 1, 2019.

