

Amendment No. 649

Senate Amendment to Assembly Bill No. 147	(BDR 40-85)
<b>Proposed by:</b> Senate Committee on Health and Human Services	
<b>Amends:</b> Summary: No Title: No Preamble: No Joint Sponsorship: Yes Digest: No	

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) variations of green bold underlining is language proposed to be added 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 proposed to be retained in this amendment.

EWR/RBL



Date: 4/29/2019

A.B. No. 147—Authorizes a physician assistant or advanced practice registered nurse to perform certain services. (BDR 40-85)





ASSEMBLY BILL NO. 147—ASSEMBLYMEN TITUS, CARLTON, NEAL, KRAMER, KRASNER; ASSEFA, BENITEZ-THOMPSON, EDWARDS, ELLISON, GORELOW, HAFEN, HANSEN, HARDY, LEAVITT, MILLER, MUNK, ROBERTS, SPIEGEL, TOLLES AND WHEELER

FEBRUARY 15, 2019

JOINT SPONSOR: SENATOR WOODHOUSE

Referred to Committee on Commerce and Labor

SUMMARY—Authorizes a physician assistant or advanced practice registered nurse to perform certain services. (BDR 40-85)

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 providers of health care; authorizing a physician assistant or advanced practice registered nurse to perform certain services; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law requires a child who sustains or is suspected of sustaining an injury to the head while participating in a competitive sport or interscholastic activity or event to be immediately removed from the sport, event or activity. The child may return to the sport, event or activity if his or her parent or legal guardian provides a signed statement of a physician, physical therapist, athletic trainer or, for a competitive sport governed by an organization for youth sports other than the Nevada Interscholastic Activities Association, an advanced practice registered nurse indicating that the child is medically cleared for participation in the sport, activity or event. (NRS 385B.080, 392.452, 455A.200) **Sections 1, 4 and 6** of this bill additionally authorize a physician assistant to complete such a statement. **Sections 4 and 6** also authorize an advanced practice registered nurse to complete such a statement for an interscholastic activity or event or a competitive sport governed by the Nevada Interscholastic Activities Association.

Existing law provides that a medical device sold to a governmental entity is exempt from sales tax regardless of whether the governmental entity or the person using the device will hold title to the device if: (1) the device is prescribed by certain providers of health care for use by the person to whom it is prescribed; (2) the device is covered by Medicaid or Medicare; and (3) the purchase of the medical device is made pursuant to a contract between the governmental entity and the seller. (NRS 372.7285, 374.731) **Sections 2 and 3** of this bill provide that a medical device prescribed by a physician assistant is exempt from sales tax under the same conditions as a medical device prescribed by another eligible provider of health care.

Existing law authorizes the parent or legal guardian of a pupil who has asthma, anaphylaxis or diabetes to submit a written request that the public or private school in which the pupil is enrolled allow the pupil to self-administer medication for his or her condition

while on the grounds of a school, participating in an activity sponsored by a school or on a school bus. (NRS 392.425, 394.1999) If such a request concerns a pupil enrolled at a public school, the request must include certain documentation from a physician or advanced practice registered nurse. (NRS 392.425) If such a request concerns a pupil enrolled at a private school, such documentation must be completed by a physician. (NRS 394.1999) **Sections 5 and 7** of this bill additionally authorize: (1) a physician assistant to complete such documentation with regard to a pupil enrolled at a public or private school; and (2) an advanced practice registered nurse to complete such documentation with regard to a pupil enrolled at a private school.

The Department of Motor Vehicles is authorized to issue a special license plate, parking placard or parking sticker upon submission of an application that includes a statement from a licensed physician or advanced practice registered nurse that the applicant is a person with a disability. (NRS 482.384) The holder of a special license plate, parking placard or parking sticker may park in a parking space designated for persons who are handicapped. (NRS 484B.467) **Sections 8-11** of this bill additionally authorize a physician assistant to complete the required statement.

Existing law authorizes a physician assistant to perform such medical services as he or she is authorized to perform by his or her supervising physician. (NRS 630.271, 633.432) **Sections 12 and 14** of this bill provide that those medical services may include ordering home health care for a patient. **Section 13** of this bill additionally authorizes an advanced practice registered nurse to order home health care for a patient.

Existing law authorizes a hearing aid specialist or dispensing audiologist to sell hearing aids by catalog, mail or the Internet if the hearing aid specialist or dispensing audiologist has received documentation of certain examinations from a physician or advanced practice registered nurse. (NRS 637B.242) **Section 15** of this bill additionally authorizes a physician assistant to complete such documentation.

Under existing law, a person who applies for employment as a driver of a taxicab must provide a certificate from a physician, advanced practice registered nurse or chiropractic physician stating that the prospective driver meets certain health requirements prescribed in federal regulations. (NRS 706.8842) **Section 16** of this bill additionally authorizes a physician assistant to complete such a certificate.

**Section 17** of this bill requires a state and local governmental entity to update any form issued by the entity to conform to the provisions of this bill authorizing a physician assistant or advanced practice registered nurse to perform certain tasks.

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

**Section 1.** NRS 455A.200 is hereby amended to read as follows:

455A.200 1. Each organization for youth sports that sanctions or sponsors competitive sports for youths in this State shall adopt a policy concerning the prevention and treatment of injuries to the head which may occur during a youth's participation in those competitive sports, including, without limitation, a concussion of the brain. To the extent practicable, the policy must be consistent with the policy adopted by the Nevada Interscholastic Activities Association pursuant to NRS 385B.080. The policy must provide information concerning the nature and risk of injuries to the head which may occur during a youth's participation in competitive sports, including, without limitation, the risks associated with continuing to participate in competitive sports after sustaining such an injury.

2. The policy adopted pursuant to subsection 1 must require that if a youth sustains or is suspected of sustaining an injury to the head while participating in competitive sports, the youth:

(a) Must be immediately removed from the competitive sport; and

(b) May return to the competitive sport if the parent or legal guardian of the youth provides a signed statement of a provider of health care indicating that the

youth is medically cleared for participation in the competitive sport and the date on which the youth may return to the competitive sport.

3. Before a youth participates in competitive sports sanctioned or sponsored by an organization for youth sports in this State, the youth and his or her parent or legal guardian:

(a) Must be provided with a copy of the policy adopted pursuant to subsection 1; and

(b) Must sign a statement on a form prescribed by the organization for youth sports acknowledging that the youth and his or her parent or legal guardian have read and understand the terms and conditions of the policy.

4. As used in this section:

(a) "Provider of health care" means a physician *or physician assistant* licensed under chapter 630 or 633 of NRS, an advanced practice registered nurse ~~who holds a valid license as an advanced practice registered nurse issued by the State Board of Nursing pursuant to NRS 632.237,~~ *licensed under chapter 632 of NRS*, a physical therapist licensed under chapter 640 of NRS or an athletic trainer licensed under chapter 640B of NRS.

(b) "Youth" means a person under the age of 18 years.

**Sec. 2.** NRS 372.7285 is hereby amended to read as follows:

372.7285 1. In administering the provisions of NRS 372.325, the Department shall apply the exemption to the sale of a medical device to a governmental entity that is exempt pursuant to that section without regard to whether the person using the medical device or the governmental entity that purchased the device is deemed to be the holder of title to the device if:

(a) The medical device was ordered or prescribed by a provider of health care, within his or her scope of practice, for use by the person to whom it is provided;

(b) The medical device is covered by Medicaid or Medicare; and

(c) The purchase of the medical device is made pursuant to a contract between the governmental entity that purchases the medical device and the person who sells the medical device to the governmental entity.

2. As used in this section:

(a) "Medicaid" means the program established pursuant to Title XIX of the Social Security Act, 42 U.S.C. §§ 1396 et seq., to provide assistance for part or all of the cost of medical care rendered on behalf of indigent persons.

(b) "Medicare" means the program of health insurance for aged persons and persons with disabilities established pursuant to Title XVIII of the Social Security Act, 42 U.S.C. §§ 1395 et seq.

(c) "Provider of health care" means a physician *or physician assistant* licensed pursuant to chapter 630, 630A or 633 of NRS, perfusionist, dentist, licensed nurse, dispensing optician, optometrist, practitioner of respiratory care, registered physical therapist, podiatric physician, licensed psychologist, licensed audiologist, licensed speech-language pathologist, licensed hearing aid specialist, licensed marriage and family therapist, licensed clinical professional counselor, chiropractor, licensed dietitian or doctor of Oriental medicine in any form.

**Sec. 3.** NRS 374.731 is hereby amended to read as follows:

374.731 1. In administering the provisions of NRS 374.330, the Department shall apply the exemption to the sale of a medical device to a governmental entity that is exempt pursuant to that section without regard to whether the person using the medical device or the governmental entity that purchased the device is deemed to be the holder of title to the device if:

(a) The medical device was ordered or prescribed by a provider of health care, within his or her scope of practice, for use by the person to whom it is provided;

(b) The medical device is covered by Medicaid or Medicare; and

(c) The purchase of the medical device is made pursuant to a contract between the governmental entity that purchases the medical device and the person who sells the medical device to the governmental entity.

2. As used in this section:

(a) "Medicaid" means the program established pursuant to Title XIX of the Social Security Act, 42 U.S.C. §§ 1396 et seq., to provide assistance for part or all of the cost of medical care rendered on behalf of indigent persons.

(b) "Medicare" means the program of health insurance for aged persons and persons with disabilities established pursuant to Title XVIII of the Social Security Act, 42 U.S.C. §§ 1395 et seq.

(c) "Provider of health care" means a physician *or physician assistant* licensed pursuant to chapter 630, 630A or 633 of NRS, perfusionist, dentist, licensed nurse, dispensing optician, optometrist, practitioner of respiratory care, registered physical therapist, podiatric physician, licensed psychologist, licensed audiologist, licensed speech-language pathologist, licensed hearing aid specialist, licensed marriage and family therapist, licensed clinical professional counselor, chiropractor, licensed dietitian or doctor of Oriental medicine in any form.

**Sec. 4.** NRS 385B.080 is hereby amended to read as follows:

385B.080 1. The Nevada Interscholastic Activities Association shall adopt a policy concerning the prevention and treatment of injuries to the head which may occur during a pupil's participation in interscholastic activities and events, including, without limitation, a concussion of the brain. The policy must provide information concerning the nature and risk of injuries to the head which may occur during a pupil's participation in interscholastic activities and events, including, without limitation, the risks associated with continuing to participate in the activity or event after sustaining such an injury.

2. The policy adopted pursuant to subsection 1 must require that if a pupil sustains or is suspected of sustaining an injury to the head while participating in an interscholastic activity or event, the pupil:

(a) Must be immediately removed from the activity or event; and

(b) May return to the activity or event if the parent or legal guardian of the pupil provides a signed statement of a provider of health care indicating that the pupil is medically cleared for participation in the activity or event and the date on which the pupil may return to the activity or event.

3. Before a pupil participates in an interscholastic activity or event, and on an annual basis thereafter, the pupil and his or her parent or legal guardian:

(a) Must be provided with a copy of the policy adopted pursuant to subsection 1; and

(b) Must sign a statement on a form prescribed by the Nevada Interscholastic Activities Association acknowledging that the pupil and his or her parent or guardian have read and understand the terms and conditions of the policy.

4. As used in this section, "provider of health care" means a physician *or physician assistant* licensed under chapter 630 or 633 of NRS, *an advanced practice registered nurse licensed under chapter 632 of NRS*, a physical therapist licensed under chapter 640 of NRS or an athletic trainer licensed under chapter 640B of NRS.

**Sec. 5.** NRS 392.425 is hereby amended to read as follows:

392.425 1. The parent or legal guardian of a pupil who has asthma, anaphylaxis or diabetes may submit a written request to the principal or, if applicable, the school nurse of the public school in which the pupil is enrolled to allow the pupil to self-administer medication for the treatment of the pupil's asthma, anaphylaxis or diabetes while the pupil is on the grounds of a public school, participating in an activity sponsored by a public school or on a school bus.

2. A public school shall establish protocols for containing blood-borne pathogens and the handling and disposal of needles, medical devices and other medical waste and provide a copy of these protocols and procedures to the parent or guardian of a pupil who requests permission for the pupil to self-administer medication pursuant to subsection 1.

3. A written request made pursuant to subsection 1 must include:

(a) A signed statement of a physician, *physician assistant* or advanced practice registered nurse indicating that the pupil has asthma, anaphylaxis or diabetes and is capable of self-administration of the medication while the pupil is on the grounds of a public school, participating in an activity sponsored by a public school or on a school bus;

(b) A written treatment plan prepared by the physician, *physician assistant* or advanced practice registered nurse pursuant to which the pupil will manage his or her asthma, anaphylaxis or diabetes if the pupil experiences an asthmatic attack, anaphylactic shock or diabetic episode while on the grounds of a public school, participating in an activity sponsored by a public school or on a school bus; and

(c) A signed statement of the parent or legal guardian:

(1) Indicating that the parent or legal guardian grants permission for the pupil to self-administer the medication while the pupil is on the grounds of a public school, participating in an activity sponsored by a public school or on a school bus;

(2) Acknowledging that the parent or legal guardian is aware of and understands the provisions of subsections 4 and 5;

(3) Acknowledging the receipt of the protocols provided pursuant to subsection 2;

(4) Acknowledging that the protocols established pursuant to subsection 2 have been explained to the pupil who will self-administer the medication and that he or she has agreed to comply with the protocols; and

(5) Acknowledging that authorization to self-administer medication pursuant to this section may be revoked if the pupil fails to comply with the protocols established pursuant to subsection 2.

4. The provisions of this section do not create a duty for the board of trustees of the school district, the school district, the public school in which the pupil is enrolled, or an employee or agent thereof, that is in addition to those duties otherwise required in the course of service or employment.

5. If a pupil is granted authorization pursuant to this section to self-administer medication, the board of trustees of the school district, the school district and the public school in which the pupil is enrolled, and any employee or agent thereof, are immune from liability for the injury to or death of:

(a) The pupil as a result of self-administration of a medication pursuant to this section or the failure of the pupil to self-administer such a medication; and

(b) Any other person as a result of exposure to or injury caused by needles, medical devices or other medical waste from the self-administration of medication by a pupil pursuant to this section.

6. Upon receipt of a request that complies with subsection 3, the principal or, if applicable, the school nurse of the public school in which a pupil is enrolled shall provide written authorization for the pupil to carry and self-administer medication to treat his or her asthma, anaphylaxis or diabetes while the pupil is on the grounds of a public school, participating in an activity sponsored by a public school or on a school bus. The written authorization must be filed with the principal or, if applicable, the school nurse of the public school in which the pupil is enrolled and must include:

(a) The name and purpose of the medication which the pupil is authorized to self-administer;

(b) The prescribed dosage and the duration of the prescription;  
(c) The times or circumstances, or both, during which the medication is required or recommended for self-administration;  
(d) The side effects that may occur from an administration of the medication;  
(e) The name and telephone number of the pupil's physician , *physician assistant* or advanced practice registered nurse and the name and telephone number of the person to contact in the case of a medical emergency concerning the pupil; and

(f) The procedures for the handling and disposal of needles, medical devices and other medical waste.

7. The written authorization provided pursuant to subsection 6 is valid for 1 school year. If a parent or legal guardian submits a written request that complies with subsection 3, the principal or, if applicable, the school nurse of the public school in which the pupil is enrolled shall renew and, if necessary, revise the written authorization.

8. If a parent or legal guardian of a pupil who is authorized pursuant to this section to carry medication on his or her person provides to the principal or, if applicable, the school nurse of the public school in which the pupil is enrolled doses of the medication in addition to the dosage that the pupil carries on his or her person, the principal or, if applicable, the school nurse shall ensure that the additional medication is:

(a) Stored on the premises of the public school in a location that is secure; and  
(b) Readily available if the pupil experiences an asthmatic attack, anaphylactic shock or diabetic episode during school hours.

9. As used in this section:

(a) "Advanced practice registered nurse" means a registered nurse who holds a valid license as an advanced practice registered nurse issued by the State Board of Nursing pursuant to NRS 632.237.

(b) "Medication" means any medicine prescribed by a physician , *physician assistant* or advanced practice registered nurse for the treatment of anaphylaxis, asthma or diabetes, including, without limitation, asthma inhalers, auto-injectable epinephrine and insulin.

(c) "Physician" means a person who is licensed to practice medicine pursuant to chapter 630 of NRS or osteopathic medicine pursuant to chapter 633 of NRS.

(d) *"Physician assistant" means a person who is licensed as a physician assistant pursuant to chapter 630 or 633 of NRS.*

(e) "Self-administer" means the auto-administration of a medication pursuant to the prescription for the medication or written directions for such a medication.

**Sec. 6.** NRS 392.452 is hereby amended to read as follows:

392.452 1. For those competitive sports not governed by the Nevada Interscholastic Activities Association pursuant to chapter 385B of NRS, the board of trustees of each school district shall adopt a policy concerning the prevention and treatment of injuries to the head which may occur during a pupil's participation in competitive sports within the school district, including, without limitation, a concussion of the brain. To the extent practicable, the policy must be consistent with the policy adopted by the Nevada Interscholastic Activities Association pursuant to NRS 385B.080. The policy must provide information concerning the nature and risk of injuries to the head which may occur during a pupil's participation in competitive sports, including, without limitation, the risks associated with continuing to participate in competitive sports after sustaining such an injury.



2. The policy adopted pursuant to subsection 1 must require that if a pupil sustains or is suspected of sustaining an injury to the head while participating in competitive sports, the pupil:

(a) Must be immediately removed from the competitive sport; and

(b) May return to the competitive sport if the parent or legal guardian of the pupil provides a signed statement of a provider of health care indicating that the pupil is medically cleared for participation in the competitive sport and the date on which the pupil may return to the competitive sport.

3. Before a pupil participates in competitive sports within a school district, and on an annual basis thereafter, the pupil and his or her parent or legal guardian:

(a) Must be provided with a copy of the policy adopted pursuant to subsection 1; and

(b) Must sign a statement on a form prescribed by the board of trustees acknowledging that the pupil and his or her parent or guardian have read and understand the terms and conditions of the policy.

4. As used in this section, "provider of health care" means a physician *or physician assistant* licensed under chapter 630 or 633 of NRS, *an advanced practice registered nurse licensed under chapter 632 of NRS*, a physical therapist licensed under chapter 640 of NRS or an athletic trainer licensed under chapter 640B of NRS.

**Sec. 7.** NRS 394.1999 is hereby amended to read as follows:

394.1999 1. The parent or legal guardian of a pupil who has asthma, anaphylaxis or diabetes may submit a written request to the principal or, if applicable, the school nurse of the private school in which the pupil is enrolled to allow the pupil to self-administer medication for the treatment of the pupil's asthma, anaphylaxis or diabetes while the pupil is on the grounds of the private school, participating in an activity sponsored by the private school or on a school bus.

2. A private school shall establish protocols for containing blood-borne pathogens and the handling and disposal of needles, medical devices and other medical waste and provide a copy of these protocols and procedures to the parent or guardian of a pupil who requests permission for the pupil to self-administer medication pursuant to subsection 1.

3. A written request made pursuant to subsection 1 must include:

(a) A signed statement of a physician, *physician assistant or advanced practice registered nurse* indicating that the pupil has asthma, anaphylaxis or diabetes and is capable of self-administration of the medication while the pupil is on the grounds of the private school, participating in an activity sponsored by the private school or on a school bus;

(b) A written treatment plan prepared by the physician, *physician assistant or advanced practice registered nurse* pursuant to which the pupil will manage his or her asthma, anaphylaxis or diabetes if the pupil experiences an asthmatic attack, anaphylactic shock or diabetic episode while on the grounds of the private school, participating in an activity sponsored by the private school or on a school bus; and

(c) A signed statement of the parent or legal guardian:

(1) Indicating that the parent or legal guardian grants permission for the pupil to self-administer the medication while the pupil is on the grounds of the private school, participating in an activity sponsored by the private school or on a school bus;

(2) Acknowledging that the parent or legal guardian is aware of and understands the provisions of subsections 4 and 5;

(3) Acknowledging the receipt of the protocols provided pursuant to subsection 2;

1 (4) Acknowledging that the protocols established pursuant to subsection 2  
2 have been explained to the pupil who will self-administer the medication and that  
3 he or she has agreed to comply with the protocols; and

4 (5) Acknowledging that authorization to self-administer medication  
5 pursuant to this section may be revoked if the pupil fails to comply with the  
6 protocols established pursuant to subsection 2.

7 4. The provisions of this section do not create a duty for the private school in  
8 which the pupil is enrolled, or an employee or agent thereof, that is in addition to  
9 those duties otherwise required in the course of service or employment.

10 5. If a pupil is granted authorization pursuant to this section to self-administer  
11 medication, the governing body of the private school in which the pupil is enrolled,  
12 the private school and any employee or agent thereof, are immune from liability for  
13 the injury to or death of:

14 (a) The pupil as a result of self-administration of a medication pursuant to this  
15 section or the failure of the pupil to self-administer such a medication; and

16 (b) Any other person as a result of exposure to or injury caused by needles,  
17 medical devices or other medical waste from the self-administration of medication  
18 by a pupil pursuant to this section.

19 6. Upon receipt of a request that complies with subsection 3, the principal or,  
20 if applicable, the school nurse of the private school in which the pupil is enrolled  
21 shall provide written authorization for the pupil to carry and self-administer  
22 medication to treat his or her asthma, anaphylaxis or diabetes while the pupil is on  
23 the grounds of the private school, participating in an activity sponsored by the  
24 private school or on a school bus. The written authorization must be filed with the  
25 principal or, if applicable, the school nurse of the private school in which the pupil  
26 is enrolled and must include:

27 (a) The name and purpose of the medication which the pupil is authorized to  
28 self-administer;

29 (b) The prescribed dosage and the duration of the prescription;

30 (c) The times or circumstances, or both, during which the medication is  
31 required or recommended for self-administration;

32 (d) The side effects that may occur from an administration of the medication;

33 (e) The name and telephone number of the pupil's physician , *physician*  
34 *assistant or advanced practice registered nurse* and the name and telephone  
35 number of the person to contact in the case of a medical emergency concerning the  
36 pupil; and

37 (f) The procedures for the handling and disposal of needles, medical devices  
38 and other medical waste.

39 7. The written authorization provided pursuant to subsection 6 is valid for 1  
40 school year. If a parent or legal guardian submits a written request that complies  
41 with subsection 3, the principal or, if applicable, the school nurse of the private  
42 school in which the pupil is enrolled shall renew and, if necessary, revise the  
43 written authorization.

44 8. If a parent or legal guardian of a pupil who is authorized pursuant to this  
45 section to carry medication on his or her person provides to the principal or, if  
46 applicable, the school nurse of the private school in which the pupil is enrolled  
47 doses of the medication in addition to the dosage that the pupil carries on his or her  
48 person, the principal or, if applicable, the school nurse shall ensure that the  
49 additional medication is:

50 (a) Stored on the premises of the private school in a location that is secure; and

51 (b) Readily available if the pupil experiences an asthmatic attack, anaphylactic  
52 shock or diabetic episode during school hours.

9. An employee of a private school who willfully violates any provision of this section is guilty of a misdemeanor.

10. As used in this section:

(a) *“Advanced practice registered nurse” has the meaning ascribed to it in NRS 392.425.*

(b) “Medication” has the meaning ascribed to it in NRS 392.425.

~~((b))~~ (c) “Physician” has the meaning ascribed to it in NRS 392.425.

~~((c))~~ (d) *“Physician assistant” has the meaning ascribed to it in NRS 392.425.*

(e) “Self-administer” has the meaning ascribed to it in NRS 392.425.

**Sec. 8.** NRS 482.3833 is hereby amended to read as follows:

482.3833 “Person with a disability of moderate duration” means a person:

1. With a disability which limits or impairs the ability to walk; and

2. Whose disability has been certified by a licensed physician , *physician assistant* or advanced practice registered nurse as being reversible, but estimated to last longer than 6 months.

**Sec. 9.** NRS 482.3837 is hereby amended to read as follows:

482.3837 “Person with a permanent disability” means a person:

1. With a disability which limits or impairs the ability to walk; and

2. Whose disability has been certified by a licensed physician , *physician assistant* or advanced practice registered nurse as irreversible.

**Sec. 10.** NRS 482.3839 is hereby amended to read as follows:

482.3839 “Person with a temporary disability” means a person:

1. With a disability which limits or impairs the ability to walk; and

2. Whose disability has been certified by a licensed physician , *physician assistant* or advanced practice registered nurse as estimated to last not longer than 6 months.

**Sec. 11.** NRS 482.384 is hereby amended to read as follows:

482.384 1. Upon the application of a person with a permanent disability, the Department may issue special license plates for a vehicle, including a motorcycle or moped, registered by the applicant pursuant to this chapter. The application must include a statement from a licensed physician , *physician assistant* or advanced practice registered nurse certifying that the applicant is a person with a permanent disability. The issuance of a special license plate to a person with a permanent disability pursuant to this subsection does not preclude the issuance to such a person of a special parking placard for a vehicle other than a motorcycle or moped or a special parking sticker for a motorcycle or moped pursuant to subsection 6.

2. Every year after the initial issuance of special license plates to a person with a permanent disability, the Department shall require the person to renew the special license plates in accordance with the procedures for renewal of registration pursuant to this chapter. The Department shall not require a person with a permanent disability to include with the application for renewal a statement from a licensed physician , *physician assistant* or advanced practice registered nurse certifying that the person is a person with a permanent disability.

3. Upon the application of an organization which provides transportation for a person with a permanent disability, disability of moderate duration or temporary disability, the Department may issue special license plates for a vehicle registered by the organization pursuant to this chapter, or the Department may issue special parking placards to the organization pursuant to this section to be used on vehicles providing transportation to such persons. The application must include a statement from the organization certifying that:

1 (a) The vehicle for which the special license plates are issued is used primarily  
2 to transport persons with permanent disabilities, disabilities of moderate duration or  
3 temporary disabilities; or

4 (b) The organization which is issued the special parking placards will only use  
5 such placards on vehicles that actually transport persons with permanent  
6 disabilities, disabilities of moderate duration or temporary disabilities.

7 4. The Department may charge a fee for special license plates issued pursuant  
8 to this section not to exceed the fee charged for the issuance of license plates for the  
9 same class of vehicle.

10 5. Special license plates issued pursuant to this section must display the  
11 international symbol of access in a color which contrasts with the background and  
12 is the same size as the numerals and letters on the plate.

13 6. Upon the application of a person with a permanent disability or disability  
14 of moderate duration, the Department may issue:

15 (a) A special parking placard for a vehicle other than a motorcycle or moped.  
16 Upon request, the Department may issue one additional placard to an applicant to  
17 whom special license plates have not been issued pursuant to this section.

18 (b) A special parking sticker for a motorcycle or moped.

19 ➤ The application must include a statement from a licensed physician , *physician*  
20 *assistant* or advanced practice registered nurse certifying that the applicant is a  
21 person with a permanent disability or disability of moderate duration.

22 7. A special parking placard issued pursuant to subsection 6 must:

23 (a) Have inscribed on it the international symbol of access which is at least 3  
24 inches in height, is centered on the placard and is white on a blue background;

25 (b) Have an identification number and date of expiration of:

26 (1) If the special parking placard is issued to a person with a permanent  
27 disability, 10 years after the initial date of issuance; or

28 (2) If the special parking placard is issued to a person with a disability of  
29 moderate duration, 2 years after the initial date of issuance;

30 (c) Have placed or inscribed on it the seal or other identification of the  
31 Department; and

32 (d) Have a form of attachment which enables a person using the placard to  
33 display the placard from the rearview mirror of the vehicle.

34 8. A special parking sticker issued pursuant to subsection 6 must:

35 (a) Have inscribed on it the international symbol of access which complies  
36 with any applicable federal standards, is centered on the sticker and is white on a  
37 blue background;

38 (b) Have an identification number and a date of expiration of:

39 (1) If the special parking sticker is issued to a person with a permanent  
40 disability, 10 years after the initial date of issuance; or

41 (2) If the special parking sticker is issued to a person with a disability of  
42 moderate duration, 2 years after the initial date of issuance; and

43 (c) Have placed or inscribed on it the seal or other identification of the  
44 Department.

45 9. Before the date of expiration of a special parking placard or special parking  
46 sticker issued to a person with a permanent disability or disability of moderate  
47 duration, the person shall renew the special parking placard or special parking  
48 sticker. If the applicant for renewal is a person with a disability of moderate  
49 duration, the applicant must include with the application for renewal a statement  
50 from a licensed physician , *physician assistant* or advanced practice registered  
51 nurse certifying that the applicant is a person with a disability which limits or  
52 impairs the ability to walk, and that such disability, although not irreversible, is  
53 estimated to last longer than 6 months. A person with a permanent disability is not

1 required to submit evidence of a continuing disability with the application for  
2 renewal.

3 10. The Department, or a city or county, may issue, and charge a reasonable  
4 fee for, a temporary parking placard for a vehicle other than a motorcycle or moped  
5 or a temporary parking sticker for a motorcycle or moped upon the application of a  
6 person with a temporary disability. Upon request, the Department, city or county  
7 may issue one additional temporary parking placard to an applicant. The application  
8 must include a certificate from a licensed physician , *physician assistant* or  
9 advanced practice registered nurse indicating:

10 (a) That the applicant has a temporary disability; and

11 (b) The estimated period of the disability.

12 11. A temporary parking placard issued pursuant to subsection 10 must:

13 (a) Have inscribed on it the international symbol of access which is at least 3  
14 inches in height, is centered on the placard and is white on a red background;

15 (b) Have an identification number and a date of expiration; and

16 (c) Have a form of attachment which enables a person using the placard to  
17 display the placard from the rearview mirror of the vehicle.

18 12. A temporary parking sticker issued pursuant to subsection 10 must:

19 (a) Have inscribed on it the international symbol of access which is at least 3  
20 inches in height, is centered on the sticker and is white on a red background; and

21 (b) Have an identification number and a date of expiration.

22 13. A temporary parking placard or temporary parking sticker is valid only  
23 for the period for which a physician , *physician assistant* or advanced practice  
24 registered nurse has certified the disability, but in no case longer than 6 months. If  
25 the temporary disability continues after the period for which the physician ,  
26 *physician assistant* or advanced practice registered nurse has certified the  
27 disability, the person with the temporary disability must renew the temporary  
28 parking placard or temporary parking sticker before the temporary parking placard  
29 or temporary parking sticker expires. The person with the temporary disability shall  
30 include with the application for renewal a statement from a licensed physician ,  
31 *physician assistant* or advanced practice registered nurse certifying that the  
32 applicant continues to be a person with a temporary disability and the estimated  
33 period of the disability.

34 14. A special or temporary parking placard must be displayed in the vehicle  
35 when the vehicle is parked by hanging or attaching the placard to the rearview  
36 mirror of the vehicle. If the vehicle has no rearview mirror, the placard must be  
37 placed on the dashboard of the vehicle in such a manner that the placard can easily  
38 be seen from outside the vehicle when the vehicle is parked.

39 15. Upon issuing a special license plate pursuant to subsection 1, a special or  
40 temporary parking placard, or a special or temporary parking sticker, the  
41 Department, or the city or county, if applicable, shall issue a letter to the applicant  
42 that sets forth the name and address of the person with a permanent disability,  
43 disability of moderate duration or temporary disability to whom the special license  
44 plate, special or temporary parking placard or special or temporary parking sticker  
45 has been issued and:

46 (a) If the person receives special license plates, the license plate number  
47 designated for the plates; and

48 (b) If the person receives a special or temporary parking placard or a special or  
49 temporary parking sticker, the identification number and date of expiration  
50 indicated on the placard or sticker.

51 ➤ The letter, or a legible copy thereof, must be kept with the vehicle for which the  
52 special license plate has been issued or in which the person to whom the special or

1 temporary parking placard or special or temporary parking sticker has been issued  
2 is driving or is a passenger.

3 16. A special or temporary parking sticker must be affixed to the windscreen  
4 of the motorcycle or moped. If the motorcycle or moped has no windscreen, the  
5 sticker must be affixed to any other part of the motorcycle or moped which may be  
6 easily seen when the motorcycle or moped is parked.

7 17. Special or temporary parking placards, special or temporary parking  
8 stickers, or special license plates issued pursuant to this section do not authorize  
9 parking in any area on a highway where parking is prohibited by law.

10 18. No person, other than the person certified as being a person with a  
11 permanent disability, disability of moderate duration or temporary disability, or a  
12 person actually transporting such a person, may use the special license plate or  
13 plates or a special or temporary parking placard, or a special or temporary parking  
14 sticker issued pursuant to this section to obtain any special parking privileges  
15 available pursuant to this section.

16 19. Any person who violates the provisions of subsection 18 is guilty of a  
17 misdemeanor.

18 20. The Department may review the eligibility of each holder of a special  
19 parking placard, a special parking sticker or special license plates, or any  
20 combination thereof. Upon a determination of ineligibility by the Department, the  
21 holder shall surrender the special parking placard, special parking sticker or special  
22 license plates, or any combination thereof, to the Department.

23 21. The Department may adopt such regulations as are necessary to carry out  
24 the provisions of this section.

25 **Sec. 12.** NRS 630.271 is hereby amended to read as follows:

26 630.271 1. A physician assistant may perform such medical services as the  
27 physician assistant is authorized to perform by his or her supervising physician.  
28 *Such services may include ordering home health care for a patient.*

29 2. The Board and supervising physician shall limit the authority of a  
30 physician assistant to prescribe controlled substances to those schedules of  
31 controlled substances that the supervising physician is authorized to prescribe  
32 pursuant to state and federal law.

33 **Sec. 13.** NRS 632.237 is hereby amended to read as follows:

34 632.237 1. The Board may issue a license to practice as an advanced  
35 practice registered nurse to a registered nurse:

36 (a) Who is licensed by endorsement pursuant to NRS 632.161 or 632.162 and  
37 holds a corresponding valid and unrestricted license to practice as an advanced  
38 practice registered nurse in the District of Columbia or any other state or territory of  
39 the United States; or

40 (b) Who:

41 (1) Has completed an educational program designed to prepare a registered  
42 nurse to:

43 (I) Perform designated acts of medical diagnosis;

44 (II) Prescribe therapeutic or corrective measures; and

45 (III) Prescribe controlled substances, poisons, dangerous drugs and  
46 devices;

47 (2) Except as otherwise provided in subsection 7, submits proof that he or  
48 she is certified as an advanced practice registered nurse by the American Board of  
49 Nursing Specialties, the National Commission for Certifying Agencies of the  
50 Institute for Credentialing Excellence, or their successor organizations, or any other  
51 nationally recognized certification agency approved by the Board; and

52 (3) Meets any other requirements established by the Board for such  
53 licensure.

2. An advanced practice registered nurse may:

(a) Engage in selected medical diagnosis and treatment;

(b) ~~Order home health care for a patient;~~

(c) If authorized pursuant to NRS 639.2351 and subject to the limitations set forth in subsection 3, prescribe controlled substances, poisons, dangerous drugs and devices; and

~~[(e)]~~ (d) Provide his or her signature, certification, stamp, verification or endorsement when a signature, certification, stamp, verification or endorsement by a physician is required, if providing such a signature, certification, stamp, verification or endorsement is within the authorized scope of practice of an advanced practice registered nurse.

➤ An advanced practice registered nurse shall not engage in any diagnosis, treatment or other conduct which the advanced practice registered nurse is not qualified to perform.

3. An advanced practice registered nurse who is authorized to prescribe controlled substances, poisons, dangerous drugs and devices pursuant to NRS 639.2351 shall not prescribe a controlled substance listed in schedule II unless:

(a) The advanced practice registered nurse has at least 2 years or 2,000 hours of clinical experience; or

(b) The controlled substance is prescribed pursuant to a protocol approved by a collaborating physician.

4. An advanced practice registered nurse may perform the acts described in paragraphs (a) , ~~[(a)]~~ (b) ~~and~~ (c) of subsection 2 by using equipment that transfers information concerning the medical condition of a patient in this State electronically, telephonically or by fiber optics, including, without limitation, through telehealth, as defined in NRS 629.515, from within or outside this State or the United States.

5. Nothing in paragraph ~~[(e)]~~ (d) of subsection 2 shall be deemed to expand the scope of practice of an advanced practice registered nurse who provides his or her signature, certification, stamp, verification or endorsement in the place of a physician.

6. The Board shall adopt regulations:

(a) Specifying any additional training, education and experience necessary for licensure as an advanced practice registered nurse.

(b) Delineating the authorized scope of practice of an advanced practice registered nurse, including, without limitation, when an advanced practice registered nurse is qualified to provide his or her signature, certification, stamp, verification or endorsement in the place of a physician.

(c) Establishing the procedure for application for licensure as an advanced practice registered nurse.

7. The provisions of subparagraph (2) of paragraph (b) of subsection 1 do not apply to an advanced practice registered nurse who obtains a license before July 1, 2014.

**Sec. 14.** NRS 633.432 is hereby amended to read as follows:

633.432 1. A physician assistant may perform such medical services as ~~[(a) The]~~ the physician assistant is authorized to perform by his or her supervising osteopathic physician ~~[(b) Are]~~ and

~~[(b) Are]~~ are within the supervising osteopathic physician's scope of practice. *Such services may include ordering home health care for a patient.*

2. The Board and supervising osteopathic physician shall limit the authority of a physician assistant to prescribe controlled substances to those schedules of controlled substances that the supervising osteopathic physician is authorized to prescribe pursuant to state and federal law.



1       **Sec. 15.** NRS 637B.242 is hereby amended to read as follows:

2       637B.242 1. A hearing aid specialist or dispensing audiologist licensed  
3 pursuant to this chapter may sell hearing aids by catalog, mail or the Internet if:

4       (a) The hearing aid specialist or dispensing audiologist has received:

5       (1) A written statement signed by:

6       (I) A physician *or physician assistant* licensed pursuant to chapter 630  
7 or 633 of NRS, an advanced practice registered nurse licensed pursuant to NRS  
8 632.237, an audiologist or a hearing aid specialist which verifies that he or she has  
9 performed an otoscopic examination of the person to whom the hearing aid will be  
10 sold and the results of the examination indicate that the person may benefit from the  
11 use of a hearing aid;

12       (II) A physician *or physician assistant* licensed pursuant to chapter  
13 630 or 633 of NRS, an audiologist or a hearing aid specialist which verifies that he  
14 or she has performed an audiometric examination of the person to whom the  
15 hearing aid will be sold and the results of the examination indicate that the person  
16 may benefit from the use of a hearing aid; and

17       (III) A dispensing audiologist or a hearing aid specialist which verifies  
18 that an ear impression has been taken of the person to whom the hearing aid will be  
19 sold; or

20       (2) A waiver of the medical evaluation signed by the person to whom the  
21 hearing aid will be sold as authorized pursuant to 21 C.F.R. § 801.421(a)(2); and

22       (b) The person to whom the hearing aid will be sold has signed a statement  
23 acknowledging that the hearing aid specialist or dispensing audiologist is selling  
24 him or her the hearing aid by catalog, mail or the Internet based upon the  
25 information submitted by the person in accordance with this section.

26       2. A hearing aid specialist or dispensing audiologist who sells hearing aids by  
27 catalog, mail or the Internet pursuant to this section shall maintain a record of each  
28 sale of a hearing aid made pursuant to this section for not less than 5 years.

29       3. The Board may adopt regulations to carry out the provisions of this section,  
30 including, without limitation, the information that must be included in each record  
31 required to be maintained pursuant to subsection 2.

32       **Sec. 16.** NRS 706.8842 is hereby amended to read as follows:

33       706.8842 1. Before applying to a certificate holder for employment as a  
34 driver, a person must obtain a medical examiner's certificate with two copies  
35 thereof from a medical examiner who is licensed to practice in the State of Nevada.

36       2. A medical examiner shall issue the certificate and copies described in  
37 subsection 1 if the medical examiner finds that a prospective driver meets the health  
38 requirements established by the Federal Motor Carrier Safety Regulations, 49  
39 C.F.R. §§ 391.41 et seq.

40       3. The certificate described in subsection 1 must state that the medical  
41 examiner has examined the prospective driver and has found that the prospective  
42 driver meets the health requirements described in subsection 2. The certificate must  
43 be signed and dated by the medical examiner.

44       4. The medical examiner's certificate required by this section expires 2 years  
45 after the date of issuance and may be renewed.

46       5. As used in this section, "medical examiner" means a physician, as defined  
47 in NRS 0.040, *a physician assistant licensed pursuant to chapter 630 or 633 of*  
48 *NRS*, an advanced practice registered nurse licensed pursuant to NRS 632.237 or a  
49 chiropractic physician licensed pursuant to chapter 634 of NRS.

50       **Sec. 17.** On or before January 1, 2020, a state or local governmental entity in  
51 this State:



1           1. Shall revise any form issued by the entity as necessary to conform to any  
2 amendatory provision of this act that newly authorizes a physician assistant or  
3 advanced practice registered nurse to perform a task; and

4           2. Submit any such updated form to the Director of the Legislative Counsel  
5 Bureau for transmittal to the Legislature.

6           **Sec. 18.** This act becomes effective on July 1, 2019.