

Amendment No. 374

Senate Amendment to Senate Bill No. 171	(BDR 54-73)
Proposed by: Senate Committee on Commerce and Labor	
Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) 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: 4/21/2019

S.B. No. 171—Provides for the collection of information from certain providers of health care. (BDR 54-73)



SENATE BILL NO. 171—SENATOR HARDY

FEBRUARY 18, 2019

Referred to Committee on Commerce and Labor

SUMMARY—Provides for the collection of information from certain providers of health care. (BDR 54-73)

FISCAL NOTE: Effect on Local Government: Increases or Newly Provides for Term of Imprisonment in County or City Jail or Detention Facility.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to health care; requiring certain ~~professional licensing boards that license, certify or register~~ providers of health care to ~~collect information from each applicant for the renewal of a license, certificate or registration;~~ complete a biennial data request; requiring the ~~Board of Regents of~~ Office of Statewide Initiatives of the University of Nevada, Reno, School of Medicine to establish and maintain ~~a database comprised of such~~ the information ~~;~~ collected using the data request; establishing the Health Care Workforce Working Group within the ~~University of Nevada School of Medicine~~ Office to analyze the information ~~in the database~~ and perform certain related duties; requiring the director of ~~a~~ certain medical ~~laboratory~~ laboratories to report the results of certain tests to the Chief Medical Officer and health authority; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law establishes certain programs within the University of Nevada School of Medicine to ensure adequate access to health care in all areas of this State. (NRS 396.899-396.908) **Section 14** of this bill requires the ~~Board of Regents~~ Office of Statewide Initiatives of the University of Nevada, Reno, School of Medicine to develop and make available to certain licensing boards a data request to be administered to applicants to those boards for the renewal of a license, certificate or registration. **Section 14** requires that data request to solicit from each applicant demographic information and certain information about the applicant's practice. **Sections 1-8** of this bill require ~~each~~ each ~~applicant to those boards for the renewal~~ holder of a license, certificate or registration issued by those boards to complete the data request ~~;~~ and (2) each licensing board to submit the information contained in each completed data request to the Board of Regents; at least biennially. **Section 14** requires the ~~Board of Regents~~ Office to ~~establish and~~ maintain ~~a database comprised of~~ such information.

Section 15 of this bill ~~requires the Board of Regents to establish~~ creates the Health Care Workforce Working Group. **Section 16** of this bill prescribes the duties of the Working

Group, which include: (1) developing the content of the data request; (2) analyzing the information ~~[contained in the database; (2)]~~ collected using the data request; (3) publishing and periodically updating a short-term plan and a 5-year plan to improve access to health care in this State; and ~~[(3)]~~ (4) making recommendations to [professional licensing boards,] state agencies, the Governor and the Legislature [and certain state agencies] concerning ways in which to attract more providers of health care to this State and improve health outcomes and public health. Section 14 authorizes the Working Group [and the Department of Health and Human Services] to access information [in the database from which personally identifiable information has been removed] collected using the data request and publish [aggregated] such information [from the database,] in aggregated form that does not disclose the identity of any provider of health care. Section 14 also prescribes the conditions under which the information may be disclosed. Sections [1-9 and] 1-9.5, 14 and 15 of this bill provide that information collected using the data request is otherwise confidential. [Section 17 of this bill authorizes the Board of Regents to enter into contracts, apply for and accept gifts, grants and donations and adopt regulations to carry out the duties prescribed by this bill.]

Existing law requires a laboratory director to notify the health authority of the identification by his or her medical laboratory of the presence of any communicable disease in the jurisdiction of that health authority. (NRS 441A.150) Section 19 of this bill requires the director of a medical laboratory, other than a medical laboratory operated by a hospital, to additionally report to the health authority the results of tests for certain markers of chronic disease. Section 18 of this bill provides for the reporting of such information to the Chief Medical Officer. Section 20 of this bill provides for the confidentiality of such information. Section 21 of this bill makes failure to submit the required reports a misdemeanor and authorizes the imposition of an administrative fine against the director of a medical laboratory who fails to submit a required report.

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

Section 1. Chapter 630 of NRS is hereby amended by adding thereto a new section to read as follows:

1. In addition to any other requirements set forth in this chapter and any regulations adopted pursuant thereto ~~17~~ and except as otherwise provided in this subsection, each applicant for the renewal of a license pursuant to this chapter or a biennial registration pursuant to NRS 630.267 shall complete the data request developed by the [Board of Regents of the University of Nevada] Office of Statewide Initiatives pursuant to section 14 of this act. If a license is required by the regulations adopted by the Board pursuant to NRS 630.275 or 630.279 to be renewed more frequently than once every 2 years, an applicant for the renewal of the license is only required to complete the data request once every odd-numbered year.

2. The Board shall ~~submit the information contained in each data request completed pursuant to subsection 1 to the Board of Regents of the University of Nevada for inclusion in the database established pursuant to section 14 of this act~~ make the data request described in subsection 1 available to applicants for the renewal of a license or a biennial registration through a link included on an Internet website maintained by the Board or an electronic application for the renewal of a license or registration, as applicable.

3. The information contained in the data requests completed pursuant to subsection 1 is confidential and, except as required by ~~subsection 2,~~ section 14 of this act, must not be disclosed to any person or entity.

4. The renewal of a license or biennial registration must not depend on any response to the data request described in subsection 1.

1 5. As used in this section, "Office of Statewide Initiatives" has the meaning
2 ascribed to the term "Office" in section 11.5 of this act.

3 Sec. 2. Chapter 631 of NRS is hereby amended by adding thereto a new
4 section to read as follows:

5 1. In addition to any other requirements set forth in this chapter and any
6 regulations adopted pursuant thereto ~~and~~ and except as otherwise provided in this
7 subsection, each applicant for the renewal of a license pursuant to this chapter
8 shall complete the data request developed by the ~~Board of Regents of the~~
9 ~~University of Nevada~~ Office of Statewide Initiatives pursuant to section 14 of this
10 act. An applicant for the renewal of a license issued pursuant to NRS 631.271,
11 631.2715 or 631.275 is not required to complete the data request in even-
12 numbered years.

13 2. The Board shall ~~submit the information contained in each data request~~
14 ~~completed pursuant to subsection 1 to the Board of Regents of the University of~~
15 ~~Nevada for inclusion in the database established pursuant to section 14 of this~~
16 ~~act~~ make the data request described in subsection 1 available to applicants for
17 the renewal of a license through a link included on an Internet website
18 maintained by the Board or an electronic application for the renewal of a license.

19 3. The information contained in the data requests completed pursuant to
20 subsection 1 is confidential and, except as required by ~~subsection 2,~~ section 14
21 of this act, must not be disclosed to any person or entity.

22 4. The renewal of a license must not depend on any response to the data
23 request described in subsection 1.

24 5. As used in this section, "Office of Statewide Initiatives" has the meaning
25 ascribed to the term "Office" in section 11.5 of this act.

26 Sec. 3. Chapter 632 of NRS is hereby amended by adding thereto a new
27 section to read as follows:

28 1. In addition to any other requirements set forth in this chapter and any
29 regulations adopted pursuant thereto, each applicant for the renewal of a license
30 or certificate pursuant to this chapter shall complete the data request developed
31 by the ~~Board of Regents of the University of Nevada~~ Office of Statewide
32 Initiatives pursuant to section 14 of this act.

33 2. The Board shall ~~submit the information contained in each data request~~
34 ~~completed pursuant to subsection 1 to the Board of Regents of the University of~~
35 ~~Nevada for inclusion in the database established pursuant to section 14 of this~~
36 ~~act~~ make the data request described in subsection 1 available to applicants for
37 the renewal of a license or certificate through a link included on an Internet
38 website maintained by the Board or an electronic application for the renewal of a
39 license.

40 3. The information contained in the data requests completed pursuant to
41 subsection 1 is confidential and, except as required by ~~subsection 2,~~ section 14
42 of this act, must not be disclosed to any person or entity.

43 4. The renewal of a license or certificate must not depend on any response
44 to the data request described in subsection 1.

45 5. As used in this section, "Office of Statewide Initiatives" has the meaning
46 ascribed to the term "Office" in section 11.5 of this act.

47 Sec. 4. Chapter 633 of NRS is hereby amended by adding thereto a new
48 section to read as follows:

49 1. In addition to any other requirements set forth in this chapter and any
50 regulations adopted pursuant thereto, each applicant for the renewal of a license
51 pursuant to this chapter in an odd-numbered year shall complete the data request
52 developed by the ~~Board of Regents of the University of Nevada~~ Office of
53 Statewide Initiatives pursuant to section 14 of this act.

1 2. ~~The Board shall submit the information contained in each data request~~
2 ~~completed pursuant to subsection 1 to the Board of Regents of the University of~~
3 ~~Nevada for inclusion in the database established pursuant to section 14 of this~~
4 ~~act.] make the data request described in subsection 1 available to applicants for~~
5 ~~the renewal of a license through a link included on an Internet website~~
6 ~~maintained by the Board or an electronic application for the renewal of a license.~~

7 3. ~~The information contained in the data requests completed pursuant to~~
8 ~~subsection 1 is confidential and, except as required by subsection 2, section 14~~
9 ~~of this act, must not be disclosed to any person or entity.~~

10 4. ~~The renewal of a license must not depend on any response to the data~~
11 ~~request described in subsection 1.~~

12 5. ~~As used in this section, "Office of Statewide Initiatives" has the meaning~~
13 ~~ascribed to the term "Office" in section 11.5 of this act.~~

14 Sec. 5. Chapter 639 of NRS is hereby amended by adding thereto a new
15 section to read as follows:

16 1. ~~In addition to any other requirements set forth in this chapter and any~~
17 ~~regulations adopted pursuant thereto, each applicant for the renewal of~~
18 ~~registration as a pharmacist, intern pharmacist, pharmaceutical technician or~~
19 ~~pharmaceutical technician in training pursuant to this chapter shall complete the~~
20 ~~data request developed by the Board of Regents of the University of Nevada]~~
21 ~~Office of Statewide Initiatives pursuant to section 14 of this act.~~

22 2. ~~The Board shall submit the information contained in each data request~~
23 ~~completed pursuant to subsection 1 to the Board of Regents of the University of~~
24 ~~Nevada for inclusion in the database established pursuant to section 14 of this~~
25 ~~act.] make the data request described in subsection 1 available to applicants for~~
26 ~~the renewal of registration through a link included on an Internet website~~
27 ~~maintained by the Board or an electronic application for the renewal of~~
28 ~~registration.~~

29 3. ~~The information contained in the data requests completed pursuant to~~
30 ~~subsection 1 is confidential and, except as required by subsection 2, section 14~~
31 ~~of this act, must not be disclosed to any person or entity.~~

32 4. ~~The renewal of a license must not depend on any response to the data~~
33 ~~request described in subsection 1.~~

34 5. ~~As used in this section, "Office of Statewide Initiatives" has the meaning~~
35 ~~ascribed to the term "Office" in section 11.5 of this act.~~

36 Sec. 6. Chapter 641 of NRS is hereby amended by adding thereto a new
37 section to read as follows:

38 1. ~~In addition to any other requirements set forth in this chapter and any~~
39 ~~regulations adopted pursuant thereto, each applicant for the renewal of a license~~
40 ~~or registration pursuant to this chapter shall complete the data request developed~~
41 ~~by the Board of Regents of the University of Nevada] Office of Statewide~~
42 ~~Initiatives pursuant to section 14 of this act. An applicant for the renewal of~~
43 ~~registration as a psychological assistant pursuant to NRS 641.226 is not required~~
44 ~~to complete the data request in an even-numbered year.~~

45 2. ~~The Board shall submit the information contained in each data request~~
46 ~~completed pursuant to subsection 1 to the Board of Regents of the University of~~
47 ~~Nevada for inclusion in the database established pursuant to section 14 of this~~
48 ~~act.] make the data request described in subsection 1 available to applicants for~~
49 ~~the renewal of a license or registration through a link included on an Internet~~
50 ~~website maintained by the Board or an electronic application for the renewal of a~~
51 ~~license or registration.~~

3. *The information contained in the data requests completed pursuant to subsection 1 is confidential and, except as required by ~~subsection 2,~~ section 14 of this act, must not be disclosed to any person or entity.*

4. *The renewal of a license or registration must not depend on any response to the data request described in subsection 1.*

5. *As used in this section, "Office of Statewide Initiatives" has the meaning ascribed to the term "Office" in section 11.5 of this act.*

Sec. 7. Chapter 641A of NRS is hereby amended by adding thereto a new section to read as follows:

1. *In addition to any other requirements set forth in this chapter and any regulations adopted pursuant thereto, each applicant for the renewal of a license pursuant to this chapter in an odd-numbered year shall complete the data request developed by the ~~Board of Regents of the University of Nevada,~~ Office of Statewide Initiatives pursuant to section 14 of this act.*

2. *The Board shall ~~submit the information contained in each data request completed pursuant to subsection 1 to the Board of Regents of the University of Nevada for inclusion in the database established pursuant to section 14 of this act,~~ make the data request described in subsection 1 available to applicants for the renewal of a license through a link included on an Internet website maintained by the Board or an electronic application for the renewal of a license.*

3. *The information contained in the data requests completed pursuant to subsection 1 is confidential and, except as required by ~~subsection 2,~~ section 14 of this act, must not be disclosed to any person or entity.*

4. *The renewal of a license must not depend on any response to the data request described in subsection 1.*

5. *As used in this section, "Office of Statewide Initiatives" has the meaning ascribed to the term "Office" in section 11.5 of this act.*

Sec. 8. Chapter 641B of NRS is hereby amended by adding thereto a new section to read as follows:

1. *In addition to any other requirements set forth in this chapter and any regulations adopted pursuant thereto, each applicant for the renewal of a license pursuant to this chapter shall complete the data request developed by the ~~Board of Regents of the University of Nevada,~~ Office of Statewide Initiatives pursuant to section 14 of this act.*

2. *The Board shall ~~submit the information contained in each data request completed pursuant to subsection 1 to the Board of Regents of the University of Nevada for inclusion in the database established pursuant to section 14 of this act,~~ make the data request described in subsection 1 available to applicants for the renewal of a license through a link included on an Internet website maintained by the Board or an electronic application for the renewal of a license.*

3. *The information contained in the data requests completed pursuant to subsection 1 is confidential and, except as required by ~~subsection 2,~~ section 14 of this act, must not be disclosed to any person or entity.*

4. *The renewal of a license must not depend on any response to the data request described in subsection 1.*

5. *The renewal of a license must not depend on any response to the data request described in subsection 1.*

6. *As used in this section, "Office of Statewide Initiatives" has the meaning ascribed to the term "Office" in section 11.5 of this act.*

Sec. 9. NRS 239.010 is hereby amended to read as follows:

239.010 1. Except as otherwise provided in this section and NRS 1.4683, 1.4687, 1A.110, 3.2203, 41.071, 49.095, 49.293, 62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030, 62H.170, 62H.220, 62H.320, 75A.100, 75A.150,

1 76.160, 78.152, 80.113, 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413,
2 87A.200, 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345, 88A.7345,
3 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270, 116B.880, 118B.026, 119.260,
4 119.265, 119.267, 119.280, 119A.280, 119A.653, 119B.370, 119B.382, 120A.690,
5 125.130, 125B.140, 126.141, 126.161, 126.163, 126.730, 127.007, 127.057,
6 127.130, 127.140, 127.2817, 128.090, 130.312, 130.712, 136.050, 159.044,
7 159A.044, 172.075, 172.245, 176.01249, 176.015, 176.0625, 176.09129, 176.156,
8 176A.630, 178.39801, 178.4715, 178.5691, 179.495, 179A.070, 179A.165,
9 179D.160, 200.3771, 200.3772, 200.5095, 200.604, 202.3662, 205.4651, 209.392,
10 209.3925, 209.419, 209.521, 211A.140, 213.010, 213.040, 213.095, 213.131,
11 217.105, 217.110, 217.464, 217.475, 218A.350, 218E.625, 218F.150, 218G.130,
12 218G.240, 218G.350, 228.270, 228.450, 228.495, 228.570, 231.069, 231.1473,
13 233.190, 237.300, 239.0105, 239.0113, 239B.030, 239B.040, 239B.050, 239C.140,
14 239C.210, 239C.230, 239C.250, 239C.270, 240.007, 241.020, 241.030, 241.039,
15 242.105, 244.264, 244.335, 247.540, 247.550, 247.560, 250.087, 250.130, 250.140,
16 250.150, 268.095, 268.490, 268.910, 271A.105, 281.195, 281.805, 281A.350,
17 281A.680, 281A.685, 281A.750, 281A.755, 281A.780, 284.4068, 286.110,
18 287.0438, 289.025, 289.080, 289.387, 289.830, 293.4855, 293.5002, 293.503,
19 293.504, 293.558, 293.906, 293.908, 293.910, 293B.135, 293D.510, 331.110,
20 332.061, 332.351, 333.333, 333.335, 338.070, 338.1379, 338.1593, 338.1725,
21 338.1727, 348.420, 349.597, 349.775, 353.205, 353A.085, 353A.100,
22 353C.240, 360.240, 360.247, 360.255, 360.755, 361.044, 361.610, 365.138,
23 366.160, 368A.180, 370.257, 370.327, 372A.080, 378.290, 378.300, 379.008,
24 379.1495, 385A.830, 385B.100, 387.626, 387.631, 388.1455, 388.259, 388.501,
25 388.503, 388.513, 388.750, 388A.247, 388A.249, 391.035, 391.120, 391.925,
26 392.029, 392.147, 392.264, 392.271, 392.315, 392.317, 392.325, 392.327, 392.335,
27 392.850, 394.167, 394.1698, 394.447, 394.460, 394.465, 396.3295, 396.405,
28 396.525, 396.535, 396.9685, 398A.115, 408.3885, 408.3886, 408.3888, 408.5484,
29 412.153, 416.070, 422.2749, 422.305, 422A.342, 422A.350, 425.400, 427A.1236,
30 427A.872, 432.028, 432.205, 432B.175, 432B.280, 432B.290, 432B.407,
31 432B.430, 432B.560, 432B.5902, 433.534, 433A.360, 437.145, 439.840, 439B.420,
32 440.170, 441A.195, 441A.220, 441A.230, 442.330, 442.395, 442.735, 445A.665,
33 445B.570, 449.209, 449.245, 449A.112, 450.140, 453.164, 453.720, 453A.610,
34 453A.700, 458.055, 458.280, 459.050, 459.3866, 459.555, 459.7056, 459.846,
35 463.120, 463.15993, 463.240, 463.3403, 463.3407, 463.790, 467.1005, 480.365,
36 480.940, 481.063, 481.091, 481.093, 482.170, 482.5536, 483.340, 483.363,
37 483.575, 483.659, 483.800, 484E.070, 485.316, 501.344, 503.452, 522.040,
38 534A.031, 561.285, 571.160, 584.655, 587.877, 598.0964, 598.098, 598A.110,
39 599B.090, 603.070, 603A.210, 604A.710, 612.265, 616B.012, 616B.015,
40 616B.315, 616B.350, 618.341, 618.425, 622.310, 623.131, 623A.137, 624.110,
41 624.265, 624.327, 625.425, 625A.185, 628.418, 628B.230, 628B.760, 629.047,
42 629.069, 630.133, 630.30665, 630.336, 630A.555, 631.368, 632.121, 632.125,
43 632.405, 633.283, 633.301, 633.524, 634.055, 634.214, 634A.185, 635.158,
44 636.107, 637.085, 637B.288, 638.087, 638.089, 639.2485, 639.570, 640.075,
45 640A.220, 640B.730, 640C.400, 640C.600, 640C.620, 640C.745, 640C.760,
46 640D.190, 640E.340, 641.090, 641.325, 641A.191, 641A.289, 641B.170,
47 641B.460, 641C.760, 641C.800, 642.524, 643.189, 644A.870, 645.180, 645.625,
48 645A.050, 645A.082, 645B.060, 645B.092, 645C.220, 645C.225, 645D.130,
49 645D.135, 645E.300, 645E.375, 645G.510, 645H.320, 645H.330, 647.0945,
50 647.0947, 648.033, 648.197, 649.065, 649.067, 652.228, 654.110, 656.105,
51 661.115, 665.130, 665.133, 669.275, 669.285, 669A.310, 671.170, 673.450,
52 673.480, 675.380, 676A.340, 676A.370, 677.243, 679B.122, 679B.152, 679B.159,
53 679B.190, 679B.285, 679B.690, 680A.270, 681A.440, 681B.260, 681B.410,

681B.540, 683A.0873, 685A.077, 686A.289, 686B.170, 686C.306, 687A.110, 687A.115, 687C.010, 688C.230, 688C.480, 688C.490, 689A.696, 692A.117, 692C.190, 692C.3507, 692C.3536, 692C.3538, 692C.354, 692C.420, 693A.480, 693A.615, 696B.550, 696C.120, 703.196, 704B.320, 704B.325, 706.1725, 706A.230, 710.159, 711.600, *and sections 1 to 8, inclusive, and 14 of this act*, sections 35, 38 and 41 of chapter 478, Statutes of Nevada 2011 and section 2 of chapter 391, Statutes of Nevada 2013 and unless otherwise declared by law to be confidential, all public books and public records of a governmental entity must be open at all times during office hours to inspection by any person, and may be fully copied or an abstract or memorandum may be prepared from those public books and public records. Any such copies, abstracts or memoranda may be used to supply the general public with copies, abstracts or memoranda of the records or may be used in any other way to the advantage of the governmental entity or of the general public. This section does not supersede or in any manner affect the federal laws governing copyrights or enlarge, diminish or affect in any other manner the rights of a person in any written book or record which is copyrighted pursuant to federal law.

2. A governmental entity may not reject a book or record which is copyrighted solely because it is copyrighted.

3. A governmental entity that has legal custody or control of a public book or record shall not deny a request made pursuant to subsection 1 to inspect or copy or receive a copy of a public book or record on the basis that the requested public book or record contains information that is confidential if the governmental entity can redact, delete, conceal or separate the confidential information from the information included in the public book or record that is not otherwise confidential.

4. A person may request a copy of a public record in any medium in which the public record is readily available. An officer, employee or agent of a governmental entity who has legal custody or control of a public record:

(a) Shall not refuse to provide a copy of that public record in a readily available medium because the officer, employee or agent has already prepared or would prefer to provide the copy in a different medium.

(b) Except as otherwise provided in NRS 239.030, shall, upon request, prepare the copy of the public record and shall not require the person who has requested the copy to prepare the copy himself or herself.

Sec. 9.5. NRS 241.016 is hereby amended to read as follows:

241.016 1. The meetings of a public body that are quasi-judicial in nature are subject to the provisions of this chapter.

2. The following are exempt from the requirements of this chapter:

(a) The Legislature of the State of Nevada.

(b) Judicial proceedings, including, without limitation, proceedings before the Commission on Judicial Selection and, except as otherwise provided in NRS 1.4687, the Commission on Judicial Discipline.

(c) Meetings of the State Board of Parole Commissioners when acting to grant, deny, continue or revoke the parole of a prisoner or to establish or modify the terms of the parole of a prisoner.

3. Any provision of law, including, without limitation, NRS 91.270, 219A.210, 228.495, 239C.140, 281A.350, 281A.690, 281A.735, 281A.760, 284.3629, 286.150, 287.0415, 287.04345, 287.338, 288.220, 289.387, 295.121, 360.247, 388.261, 388A.495, 388C.150, 388G.710, 388G.730, 392.147, 392.467, 394.1699, 396.3295, 433.534, 435.610, 463.110, 622.320, 622.340, 630.311, 630.336, 631.3635, 639.050, 642.518, 642.557, 686B.170, 696B.550, 703.196 and 706.1725 *and section 15 of this act*, which:

(a) Provides that any meeting, hearing or other proceeding is not subject to the provisions of this chapter; or

(b) Otherwise authorizes or requires a closed meeting, hearing or proceeding, ➤ prevails over the general provisions of this chapter.

4. The exceptions provided to this chapter, and electronic communication, must not be used to circumvent the spirit or letter of this chapter to deliberate or act, outside of an open and public meeting, upon a matter over which the public body has supervision, control, jurisdiction or advisory powers.

Sec. 10. Chapter 396 of NRS is hereby amended by adding thereto the provisions set forth as sections 11 to 17, inclusive, of this act.

Sec. 11. *As used in sections 11 to 17, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 11.5, 12 and 13 of this act have the meanings ascribed to them in those sections.*

Sec. 11.5. *“Office” means the Office of Statewide Initiatives at the University of Nevada, Reno, School of Medicine, its successor office or, if that office ceases to exist, a similar office within the University of Nevada, Reno, School of Medicine selected by the Board of Regents.*

Sec. 12. *“Provider of health care” means a person:*

1. *Licensed, certified or registered pursuant to chapter 630, 631, 632, 633, 641, 641A or 641B of NRS; or*

2. *Registered pursuant to chapter 639 of NRS.*

Sec. 13. *“Working Group” means the Health Care Workforce Working Group established pursuant to section 15 of this act.*

Sec. 14. 1. ~~The [Board of Regents]~~ *Office* shall develop and make available to each professional licensing board that licenses, certifies or registers providers of health care an electronic data request to be completed by an applicant for the renewal of such a license, certificate or registration. The electronic data request must solicit from each such applicant:

(a) *The name of the applicant;*

(b) *The electronic mail address of the applicant;*

(c) *The type of license or registration held by the applicant;*

(d) *The applicant’s license, certificate or registration number;*

(e) *The registration number issued to the applicant by the Drug Enforcement Administration, if applicable;*

(f) *The [gender,] race, [and] ethnicity, ancestry, national origin, color, sex, sexual orientation, gender identity or expression and any physical or mental disability of the applicant;*

~~(b)~~ (g) *The primary language spoken by the applicant and any other language spoken by the applicant;*

~~(c)~~ (h) *The specialty area in which the applicant practices;*

~~(d)~~ (i) *The county of this State in which the applicant spends the majority of his or her working hours;*

(j) *The [number] address of [locations in this State and other jurisdictions] each location at which the applicant practices, [or] intends to practice and the percentage of working hours spent by the applicant at each location;*

~~(e)~~ (k) *The type of practice in which the applicant engages, including, without limitation, private practice, government or nonprofit;*

~~(f)~~ (l) *The settings in which the applicant practices, including, without limitation, hospitals, clinics and academic settings;*

~~(g)~~ (m) *The education and primary and secondary specialties of the applicant;*

~~[(d)]~~ (n) The average number of hours worked per week by the applicant and the total number of weeks worked by the applicant during the immediately preceding calendar year;

~~[(e)]~~ (o) The percentages of working hours during which the applicant engages in patient care and other activities, including, without limitation, teaching, research and administration;

~~[(f)]~~ (p) Any planned major changes to the practice of the applicant, including, without limitation, retirement, relocation or significant changes in working hours;

~~[(g)]~~ (q) Costs incurred by the applicant or his or her employer for professional liability coverage for the applicant and any difficulty encountered by the applicant or his or her employer in procuring such coverage; and

~~[(h)]~~ (r) Any other information ~~[prescribed by regulation of the Board of Regents]~~ included in the data request by the Working Group.

2. Except as otherwise provided in this subsection, an applicant for the renewal of a license, certificate or registration who is required to complete the data request pursuant to sections 1 to 8, inclusive, of this act must provide all information required by subsection 1. The electronic data request must allow such an applicant to refuse to provide the information described in paragraphs (f) and (r) of subsection 1. The Working Group may make optional the provision of any other information described in subsection 1.

3. The ~~[Board of Regents]~~ Office shall ~~[establish]~~ collect and maintain ~~[a database of]~~ the information collected pursuant to subsection 1. ~~[Personally identifiable information contained in the database is confidential and must not be disclosed to any person or entity.]~~

~~[(3)]~~ 4. Except as otherwise provided in this subsection ~~[(1)]~~ and subsection 5, information ~~[contained in the database]~~ maintained pursuant to this section is confidential. The ~~[Department of Health and Human Services, any Division thereof and the Working Group may:]~~

~~— (a) Access data from the database that does not contain any information that could be used to identify an applicant for or holder of a license, certificate or registration as a provider of health care; and~~

~~— (b) Publish aggregated data from the database.]~~ Office shall allow the Working Group unrestricted access to that information and provide that information:

(a) In complete, unredacted form to the Department of Health and Human Services, the Division of Insurance of the Department of Business and Industry and the Department of Employment, Training and Rehabilitation quarterly and upon the request of the Director of the Department of Health and Human Services, the Commissioner of Insurance or the Director of the Department of Employment, Training and Rehabilitation, as applicable;

(b) In an individualized form that does not reveal the identity of any provider of health care upon an affirmative vote of a majority of the members of the Working Group to any person or entity who has entered into a data sharing agreement with the Working Group; and

(c) In aggregated form that does not reveal the identity of any provider of health care to any person or entity upon request.

5. The Office may publish aggregated information that does not reveal the identity of any provider of health care maintained pursuant to this section.

Sec. 15. 1. The ~~[Board of Regents shall establish the]~~ Health Care Workforce Working Group is hereby created within the ~~[University of Nevada School of Medicine.]~~ Office. The ~~[Board of Regents shall appoint to the]~~ Working Group ~~[providers of health care and representatives of:]~~

~~1 — (a) Group,] consists of:~~

2 (a) One member who represents the Office, appointed by the person in
3 charge of the Office;

4 (b) One member who represents the Department of Health and Human
5 Services, appointed by the Director of the Department;

6 (c) One member who represents the Nevada System of Higher Education,
7 appointed by the Board of Regents;

8 (d) One member who represents the Division of Insurance of the Department
9 of Business and Industry, appointed by the Commissioner of Insurance;

10 (e) One member who represents the Office of Economic Development created
11 in the Office of the Governor by NRS 231.043, appointed by the Executive
12 Director of that Office;

13 (f) One member who represents the Office of Workforce Innovation created
14 in the Office of the Governor by NRS 223.800, appointed by the Executive
15 Director of that Office; and

16 (g) At least one, but not more than four, members appointed by the Office
17 who are providers of health care or representatives of;

18 (1) Groups that represent providers of health care and consumers of
19 health care;

20 ~~21 — (b) The System, universities, state colleges, community colleges and other~~
21 ~~institutions in this State that train providers of health care;~~

22 ~~23 — (c) The Department of Education and the Department of Health and Human~~
23 ~~Services; and~~

24 ~~25 — (d) Professional licensing boards that license, certify or register providers of~~
25 ~~health care.]~~

26 (2) Institutions, agencies or nonprofit organizations that study or work
27 on issues related to access to health care or recruitment or education of providers
28 of health care; or

29 (3) Universities, colleges, including, without limitation, state colleges and
30 community colleges, and other institutions in this State that educate persons who
31 wish to become providers of health care.

32 2. The ~~Board of Regents]~~ Working Group shall ~~appoint]~~, by vote of a
33 majority of its members, a Chair, Vice Chair and Secretary of the Working
34 Group. The Working Group shall meet at the call of the Chair. A majority of the
35 members of the Working Group constitutes a quorum and is required to transact
36 any business of the Working Group.

37 3. The members of the Working Group serve without compensation and are
38 not entitled to receive the per diem allowance and travel expenses provided for
39 state officers and employees generally.

40 4. A member of the Working Group who is an officer or employee of this
41 State or a political subdivision of this State must be relieved from his or her
42 duties without loss of regular compensation to prepare for and attend meetings of
43 the Working Group and perform any work necessary to carry out the duties of the
44 Working Group in the most timely manner practicable. A state agency or political
45 subdivision of this State shall not require an officer or employee who is a member
46 of the Working Group to:

47 (a) Make up the time he or she is absent from work to carry out his or her
48 duties as a member of the Working Group; or

49 (b) Take annual leave or compensatory time for the absence.

50 5. A member of the Working Group serves at the pleasure of the person or
51 entity that appointed the member.

52 6. The Working Group may close any portion of a meeting during which it
53 considers information maintained pursuant to section 14 of this act.

1 7. The ~~[Board of Regents]~~ Office shall provide such administrative support
2 to the Working Group as is necessary to carry out the duties of the Working
3 Group.

4 **Sec. 16. The Working Group shall:**

5 1. ~~[Make recommendations to the Board of Regents concerning]~~ Develop
6 the content of the electronic data request developed pursuant to section 14 of this
7 act ~~and~~ and consult with experts concerning the design and content of the data
8 request and other related issues as necessary;

9 2. Analyze the information ~~[contained in the database established]~~
10 ~~maintained~~ pursuant to section 14 of this act;

11 3. Make recommendations to ~~[the professional licensing boards described~~
12 ~~in section 14 of this act, the Department of Health and Human Services, the~~
13 ~~Department of Education, the Board of Regents]~~ state agencies, the Governor
14 and the Legislature concerning ways in which to:

15 (a) Attract more persons, including, without limitation, members of
16 underrepresented groups, to pursue the education necessary to practice as a
17 provider of health care and practice as a provider of health care in this State; and

18 (b) Improve health outcomes and public health in this State;

19 4. Publish and periodically update a short-term plan and a 5-year plan to
20 improve access to health care in this State; and

21 5. On or before January 31 of each year, compile a report of its activities
22 during the immediately preceding year and submit the report to the Director of
23 the Legislative Counsel Bureau for transmittal to:

24 (a) In even-numbered years, the Legislative Committee on Health Care; and

25 (b) In odd-numbered years, the next regular session of the Legislature.

26 **Sec. 17. ~~[The Board of Regents may]~~**

27 ~~1. Adopt any regulations necessary to carry out the provisions of sections 11~~
28 ~~to 17, inclusive, of this act;~~

29 ~~2. Enter into any contracts or agreements necessary to carry out the~~
30 ~~provisions of sections 11 to 17, inclusive, of this act; and~~

31 ~~3. Apply for and accept any gifts, grants and donations to carry out the~~
32 ~~provisions of sections 11 to 17, inclusive, of this act.] (Deleted by amendment.)~~

33 **Sec. 18.** NRS 441A.120 is hereby amended to read as follows:

34 441A.120 1. The Board shall adopt regulations governing the control of
35 communicable diseases in this State, including regulations specifically relating to
36 the control of such diseases in educational, medical and correctional institutions.
37 The regulations must specify:

38 (a) The diseases which are known to be communicable.

39 (b) The communicable diseases which are known to be sexually transmitted.

40 (c) The procedures for investigating and reporting cases or suspected cases of
41 communicable diseases, including the time within which these actions must be
42 taken.

43 (d) For each communicable disease, the procedures for testing, treating,
44 isolating and quarantining a person or group of persons who have been exposed to
45 or have or are suspected of having the disease.

46 (e) A method for ensuring that any testing, treatment, isolation or quarantine of
47 a person or a group of persons pursuant to this chapter is carried out in the least
48 restrictive manner or environment that is appropriate and acceptable under current
49 medical and public health practices.

50 2. The Board shall adopt regulations governing the procedures for reporting
51 cases or suspected cases of drug overdose and the results of the tests described in
52 paragraph (b) of subsection 4 of NRS 441A.150 to the Chief Medical Officer or

his or her designee, including the time within which such reports must be made and the information that such reports must include.

3. The duties set forth in the regulations adopted by the Board pursuant to subsection 1 must be performed by:

(a) In a district in which there is a district health officer, the district health officer or the district health officer's designee; or

(b) In any other area of the State, the Chief Medical Officer or the Chief Medical Officer's designee.

Sec. 19. NRS 441A.150 is hereby amended to read as follows:

441A.150 1. A provider of health care who knows of, or provides services to, a person who has or is suspected of having a communicable disease shall report that fact to the health authority in the manner prescribed by the regulations of the Board. If no provider of health care is providing services, each person having knowledge that another person has a communicable disease shall report that fact to the health authority in the manner prescribed by the regulations of the Board.

2. A provider of health care who knows of, or provides services to, a person who has suffered or is suspected of having suffered a drug overdose shall report that fact to the Chief Medical Officer or his or her designee in the manner prescribed by the regulations of the Board.

3. A medical facility in which more than one provider of health care may know of, or provide services to, a person who has or is suspected of having a communicable disease or who has suffered or is suspected of having suffered a drug overdose shall establish administrative procedures to ensure that the health authority or Chief Medical Officer or his or her designee, as applicable, is notified.

4. A laboratory director shall, in the manner prescribed by the Board, notify the health authority of ~~the~~:

(a) ~~The~~ identification by his or her medical laboratory of the presence of any communicable disease in the jurisdiction of that health authority. The health authority shall not presume a diagnosis of a communicable disease on the basis of the notification received from the laboratory director.

(b) ~~The~~ If the laboratory is not operated by a hospital, the results of each test performed at the laboratory for:

(1) Hemoglobin A1c;

(2) Cholesterol and lipids; and

(3) Any other marker associated with chronic disease prescribed by regulation of the Board.

5. If more than one medical laboratory is involved in testing a specimen, the laboratory that is responsible for reporting the results of the testing directly to the provider of health care for the patient shall also be responsible for reporting to the health authority.

Sec. 20. NRS 441A.220 is hereby amended to read as follows:

441A.220 All information of a personal nature about any person provided by any other person reporting a case or suspected case of a communicable disease or drug overdose ~~or~~ or the results of a test for markers of chronic diseases, or by any person who has a communicable disease or has suffered a drug overdose, or as determined by investigation of the health authority, is confidential medical information and must not be disclosed to any person under any circumstances, including pursuant to any subpoena, search warrant or discovery proceeding, except:

1. As otherwise provided in NRS 439.538.

2. For statistical purposes, provided that the identity of the person is not discernible from the information disclosed.

3. In a prosecution for a violation of this chapter.

4. In a proceeding for an injunction brought pursuant to this chapter.

5. In reporting the actual or suspected abuse or neglect of a child or elderly person.

6. To any person who has a medical need to know the information for his or her own protection or for the well-being of a patient or dependent person, as determined by the health authority in accordance with regulations of the Board.

7. If the person who is the subject of the information consents in writing to the disclosure.

8. Pursuant to subsection 4 of NRS 441A.320 or NRS 629.069.

9. If the disclosure is made to the Department of Health and Human Services and the person about whom the disclosure is made has been diagnosed as having acquired immunodeficiency syndrome or an illness related to the human immunodeficiency virus and is a recipient of or an applicant for Medicaid.

10. To a firefighter, police officer or person providing emergency medical services if the Board has determined that the information relates to a communicable disease significantly related to that occupation. The information must be disclosed in the manner prescribed by the Board.

11. If the disclosure is authorized or required by NRS 239.0115 or another specific statute.

Sec. 21. NRS 441A.920 is hereby amended to read as follows:

441A.920 Every provider of health care, medical facility or medical laboratory that willfully fails, neglects or refuses to comply with any regulation of the Board relating to the reporting of a communicable disease, ~~for~~ drug overdose *or test for markers of chronic diseases* or any requirement of this chapter is guilty of a misdemeanor and, in addition, may be subject to an administrative fine of \$1,000 for each violation, as determined by the Board.

Sec. 21.5. 1. The members of the Health Care Workforce Working Group created by section 15 of this act must be appointed as soon as practicable.

2. The Health Care Workforce Working Group must hold its first meeting on or before October 1, 2019.

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. 1. This section and sections 10 to 17, inclusive, of this act ~~becomes~~ **become effective [on July 1, 2019.] upon passage and approval.**

2. Sections 1 to 9, inclusive, and 18 to 22, inclusive, of this act become effective upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act and on October 1, 2019, for all other purposes.