

Amendment No. 90

Senate Amendment to Senate Bill No. 234	(BDR 54-527)
Proposed by: Senate Committee on Commerce and Labor	
Amends: Summary: Yes 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: 4/5/2019

S.B. No. 234—Makes various changes relating to collection of data concerning providers of health care. (BDR 54-527)



SENATE BILL NO. 234—COMMITTEE ON COMMERCE AND LABOR

(ON BEHALF OF THE LEGISLATIVE COMMITTEE
ON HEALTH CARE)

FEBRUARY 21, 2019

Referred to Committee on Commerce and Labor

SUMMARY—Makes various changes relating to ~~collection of data concerning~~
the participation of providers of health care ~~in network~~
plans of insurers. (BDR ~~[54-527]~~ 57-527)

FISCAL NOTE: Effect on Local Government: No.
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 the Commissioner of Insurance to collect certain information from providers of health care, establish a database comprised of such information and compile an annual report concerning such information;~~ requiring the Commissioner of Insurance to develop a form letter to provide certain notice to providers of health care relating to participation in the network of a health carrier; requiring the Commissioner of Insurance to publish an annual report concerning certain trends relating to the participation of providers of health care in the network of a health carrier; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Commissioner of Insurance to enforce the Nevada Insurance Code and investigate insurance matters as he or she deems proper. (NRS 679B.120) ~~{Section 27 of this bill requires the Commissioner to develop an electronic data request to obtain information, including demographic information and certain other information concerning the practice of a provider of health care, from applicants for the issuance or renewal of a license, certificate or registration as a provider of health care. Section 27 requires the Commissioner to: (1) maintain a database comprised of such information; and (2) compile an annual public report of such information that is aggregated for each type of license, certificate or registration issued to providers of health care in this State. Section 27 authorizes the Commissioner to provide individualized information, with identifying information removed, only to other governmental entities. Sections 23 and 27 of this bill provide that personally identifiable information contained in the database is confidential. Sections 1-22 and 24 of this bill require a provider of health care to complete the electronic data request as a condition for the issuance or renewal of a license, certificate or registration.}~~ **Section 26** of this bill requires the Commissioner to develop a form letter that a health carrier must use to notify a provider of health care and the Commissioner of the denial of ~~this or her~~ an application by the provider of health care to be included in the health carrier's network of providers. Sections

26 and 27.3 of this bill provide for the confidentiality of such form letters that are submitted to the Commissioner. Section 26 also requires the Commissioner to compile, publish and submit to the Governor and the Legislature an annual report concerning trends in the denial of applications of providers of health care to be included in the network of providers of a health carrier.

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:~~

~~—In addition to any other requirements set forth in this chapter and any regulations adopted pursuant thereto, each applicant for the issuance or renewal of a license as a physician, physician assistant, perfusionist or practitioner of respiratory care or a biennial registration pursuant to NRS 630.267 shall submit to the Board an automated letter from the Commissioner of Insurance evidencing that the applicant has completed the data request developed pursuant to section 27 of this act.] (Deleted by amendment.)~~

Sec. 2. ~~[Chapter 630A of NRS is hereby amended by adding thereto a new section to read as follows:~~

~~—In addition to any other requirements set forth in this chapter and any regulations adopted pursuant thereto, each applicant for the issuance or renewal of a license to practice homeopathic medicine shall submit to the Board an automated letter from the Commissioner of Insurance evidencing that the applicant has completed the data request developed pursuant to section 27 of this act.] (Deleted by amendment.)~~

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

~~—In addition to any other requirements set forth in this chapter and any regulations adopted pursuant thereto, each applicant for the issuance or renewal of a license to practice dentistry shall submit to the Board an automated letter from the Commissioner of Insurance evidencing that the applicant has completed the data request developed pursuant to section 27 of this act.] (Deleted by amendment.)~~

Sec. 4. ~~[Chapter 632 of NRS is hereby amended by adding thereto a new section to read as follows:~~

~~—In addition to any other requirements set forth in this chapter and any regulations adopted pursuant thereto, each applicant for the issuance or renewal of a license to practice as a professional or practical nurse shall submit to the Board an automated letter from the Commissioner of Insurance evidencing that the applicant has completed the data request developed pursuant to section 27 of this act.] (Deleted by amendment.)~~

Sec. 5. ~~[Chapter 633 of NRS is hereby amended by adding thereto a new section to read as follows:~~

~~—In addition to any other requirements set forth in this chapter and any regulations adopted pursuant thereto, each applicant for the issuance or renewal of a license as a physician or physician assistant shall submit to the Board an automated letter from the Commissioner of Insurance evidencing that the applicant has completed the data request developed pursuant to section 27 of this act.] (Deleted by amendment.)~~

1 **Sec. 6.** ~~{Chapter 634 of NRS is hereby amended by adding thereto a new~~
2 ~~section to read as follows:~~

3 ~~—In addition to any other requirements set forth in this chapter and any~~
4 ~~regulations adopted pursuant thereto, each applicant for the issuance or renewal~~
5 ~~of a license to practice chiropractic shall submit to the Board an automated letter~~
6 ~~from the Commissioner of Insurance evidencing that the applicant has completed~~
7 ~~the data request developed pursuant to section 27 of this act.}~~ (Deleted by
8 amendment.)

9 **Sec. 7.** ~~{Chapter 634A of NRS is hereby amended by adding thereto a new~~
10 ~~section to read as follows:~~

11 ~~—In addition to any other requirements set forth in this chapter and any~~
12 ~~regulations adopted pursuant thereto, each applicant for the issuance or renewal~~
13 ~~of a license to practice as a doctor of oriental medicine shall submit to the Board~~
14 ~~an automated letter from the Commissioner of Insurance evidencing that the~~
15 ~~applicant has completed the data request developed pursuant to section 27 of this~~
16 ~~act.}~~ (Deleted by amendment.)

17 **Sec. 8.** ~~{Chapter 635 of NRS is hereby amended by adding thereto a new~~
18 ~~section to read as follows:~~

19 ~~—In addition to any other requirements set forth in this chapter and any~~
20 ~~regulations adopted pursuant thereto, each applicant for the issuance or renewal~~
21 ~~of a license as a podiatric physician shall submit to the Board an automated letter~~
22 ~~from the Commissioner of Insurance evidencing that the applicant has completed~~
23 ~~the data request developed pursuant to section 27 of this act.}~~ (Deleted by
24 amendment.)

25 **Sec. 9.** ~~{Chapter 636 of NRS is hereby amended by adding thereto a new~~
26 ~~section to read as follows:~~

27 ~~—In addition to any other requirements set forth in this chapter and any~~
28 ~~regulations adopted pursuant thereto, each applicant for the issuance or renewal~~
29 ~~of a license to practice optometry shall submit to the Board an automated letter~~
30 ~~from the Commissioner of Insurance evidencing that the applicant has completed~~
31 ~~the data request developed pursuant to section 27 of this act.}~~ (Deleted by
32 amendment.)

33 **Sec. 10.** ~~{Chapter 637 of NRS is hereby amended by adding thereto a new~~
34 ~~section to read as follows:~~

35 ~~—In addition to any other requirements set forth in this chapter and any~~
36 ~~regulations adopted pursuant thereto, each applicant for the issuance or renewal~~
37 ~~of a license as a dispensing optician shall submit to the Board an automated letter~~
38 ~~from the Commissioner of Insurance evidencing that the applicant has completed~~
39 ~~the data request developed pursuant to section 27 of this act.}~~ (Deleted by
40 amendment.)

41 **Sec. 11.** ~~{Chapter 637B of NRS is hereby amended by adding thereto a new~~
42 ~~section to read as follows:~~

43 ~~—In addition to any other requirements set forth in this chapter and any~~
44 ~~regulations adopted pursuant thereto, each applicant for the issuance or renewal~~
45 ~~of a license as an audiologist or speech language pathologist shall submit to the~~
46 ~~Board an automated letter from the Commissioner of Insurance evidencing that~~
47 ~~the applicant has completed the data request developed pursuant to section 27 of~~
48 ~~this act.}~~ (Deleted by amendment.)

49 **Sec. 12.** ~~{Chapter 639 of NRS is hereby amended by adding thereto a new~~
50 ~~section to read as follows:~~

51 ~~—In addition to any other requirements set forth in this chapter and any~~
52 ~~regulations adopted pursuant thereto, each applicant for the issuance or renewal~~
53 ~~of registration as a pharmacist shall submit to the Board an automated letter~~

1 ~~from the Commissioner of Insurance evidencing that the applicant has completed~~
2 ~~the data request developed pursuant to section 27 of this act.}~~ (Deleted by
3 amendment.)

4 **Sec. 13.** ~~[Chapter 640 of NRS is hereby amended by adding thereto a new~~
5 ~~section to read as follows:~~

6 ~~—In addition to any other requirements set forth in this chapter and any~~
7 ~~regulations adopted pursuant thereto, each applicant for the issuance or renewal~~
8 ~~of a license as a physical therapist shall submit to the Board an automated letter~~
9 ~~from the Commissioner of Insurance evidencing that the applicant has completed~~
10 ~~the data request developed pursuant to section 27 of this act.}~~ (Deleted by
11 amendment.)

12 **Sec. 14.** ~~[Chapter 640A of NRS is hereby amended by adding thereto a new~~
13 ~~section to read as follows:~~

14 ~~—In addition to any other requirements set forth in this chapter and any~~
15 ~~regulations adopted pursuant thereto, each applicant for the issuance or renewal~~
16 ~~of a license as an occupational therapist shall submit to the Board an automated~~
17 ~~letter from the Commissioner of Insurance evidencing that the applicant has~~
18 ~~completed the data request developed pursuant to section 27 of this act.}~~ (Deleted
19 by amendment.)

20 **Sec. 15.** ~~[Chapter 640B of NRS is hereby amended by adding thereto a new~~
21 ~~section to read as follows:~~

22 ~~—In addition to any other requirements set forth in this chapter and any~~
23 ~~regulations adopted pursuant thereto, each applicant for the issuance or renewal~~
24 ~~of a license as an athletic trainer shall submit to the Board an automated letter~~
25 ~~from the Commissioner of Insurance evidencing that the applicant has completed~~
26 ~~the data request developed pursuant to section 27 of this act.}~~ (Deleted by
27 amendment.)

28 **Sec. 16.** ~~[Chapter 640D of NRS is hereby amended by adding thereto a new~~
29 ~~section to read as follows:~~

30 ~~—In addition to any other requirements set forth in this chapter and any~~
31 ~~regulations adopted pursuant thereto, each applicant for the issuance or renewal~~
32 ~~of a license to practice music therapy shall submit to the Board an automated~~
33 ~~letter from the Commissioner of Insurance evidencing that the applicant has~~
34 ~~completed the data request developed pursuant to section 27 of this act.}~~ (Deleted
35 by amendment.)

36 **Sec. 17.** ~~[Chapter 640E of NRS is hereby amended by adding thereto a new~~
37 ~~section to read as follows:~~

38 ~~—In addition to any other requirements set forth in this chapter and any~~
39 ~~regulations adopted pursuant thereto, each applicant for the issuance or renewal~~
40 ~~of a license as a dietitian shall submit to the Board an automated letter from the~~
41 ~~Commissioner of Insurance evidencing that the applicant has completed the data~~
42 ~~request developed pursuant to section 27 of this act.}~~ (Deleted by amendment.)

43 **Sec. 18.** ~~[Chapter 641 of NRS is hereby amended by adding thereto a new~~
44 ~~section to read as follows:~~

45 ~~—In addition to any other requirements set forth in this chapter and any~~
46 ~~regulations adopted pursuant thereto, each applicant for the issuance or renewal~~
47 ~~of a license as a psychologist shall submit to the Board an automated letter from the~~
48 ~~Commissioner of Insurance evidencing that the applicant has completed the data~~
49 ~~request developed pursuant to section 27 of this act.}~~ (Deleted by
50 amendment.)

1 **Sec. 19.** ~~[Chapter 641A of NRS is hereby amended by adding thereto a new~~
2 ~~section to read as follows:~~

3 ~~—In addition to any other requirements set forth in this chapter and any~~
4 ~~regulations adopted pursuant thereto, each applicant for the issuance or renewal~~
5 ~~of a license as a marriage and family therapist or clinical professional counselor~~
6 ~~shall submit to the Board an automated letter from the Commissioner of~~
7 ~~Insurance evidencing that the applicant has completed the data request developed~~
8 ~~pursuant to section 27 of this act.] (Deleted by amendment.)~~

9 **Sec. 20.** ~~[Chapter 641B of NRS is hereby amended by adding thereto a new~~
10 ~~section to read as follows:~~

11 ~~—In addition to any other requirements set forth in this chapter and any~~
12 ~~regulations adopted pursuant thereto, each applicant for the issuance or renewal~~
13 ~~of a license as an associate in social work, a social worker, an independent social~~
14 ~~worker or a clinical social worker shall submit to the Board an automated letter~~
15 ~~from the Commissioner of Insurance evidencing that the applicant has completed~~
16 ~~the data request developed pursuant to section 27 of this act.] (Deleted by~~
17 ~~amendment.)~~

18 **Sec. 21.** ~~[Chapter 641C of NRS is hereby amended by adding thereto a new~~
19 ~~section to read as follows:~~

20 ~~—In addition to any other requirements set forth in this chapter and any~~
21 ~~regulations adopted pursuant thereto, each applicant for the issuance or renewal~~
22 ~~of a license as an alcohol and drug abuse counselor or clinical alcohol and drug~~
23 ~~abuse counselor or a certificate as an alcohol and drug abuse counselor or~~
24 ~~problem gambling counselor shall submit to the Board an automated letter from~~
25 ~~the Commissioner of Insurance evidencing that the applicant has completed the~~
26 ~~data request developed pursuant to section 27 of this act.] (Deleted by~~
27 ~~amendment.)~~

28 **Sec. 22.** ~~[Chapter 652 of NRS is hereby amended by adding thereto a new~~
29 ~~section to read as follows:~~

30 ~~—In addition to any other requirements set forth in this chapter and any~~
31 ~~regulations adopted pursuant thereto, each applicant for the issuance or renewal~~
32 ~~of a license or certificate as a laboratory director or laboratory personnel shall~~
33 ~~submit to the Board an automated letter from the Commissioner of Insurance~~
34 ~~evidencing that the applicant has completed the data request developed pursuant~~
35 ~~to section 27 of this act.] (Deleted by amendment.)~~

36 **Sec. 23.** ~~[NRS 239.010 is hereby amended to read as follows:~~

37 ~~239.010 1. Except as otherwise provided in this section and NRS 1.4683,~~
38 ~~1.4687, 1A.110, 3.2203, 41.071, 49.095, 49.203, 62D.420, 62D.440, 62E.516,~~
39 ~~62E.620, 62H.025, 62H.030, 62H.170, 62H.220, 62H.320, 75A.100, 75A.150,~~
40 ~~76.160, 78.152, 80.113, 81.850, 82.183, 86.246, 86.54615, 87.513, 87.5413,~~
41 ~~87A.200, 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345, 88A.7345,~~
42 ~~89.045, 89.251, 90.730, 91.160, 116.757, 116A.270, 116B.880, 118B.026, 119.260,~~
43 ~~119.265, 119.267, 119.280, 119A.280, 119A.653, 119B.370, 119B.382, 120A.690,~~
44 ~~125.130, 125B.140, 126.141, 126.161, 126.163, 126.730, 127.007, 127.057,~~
45 ~~127.130, 127.140, 127.2817, 128.090, 130.312, 130.712, 136.050, 159.044,~~
46 ~~159A.044, 172.075, 172.245, 176.01249, 176.015, 176.0625, 176.09129, 176.156,~~
47 ~~176A.630, 178.39801, 178.4715, 178.5691, 179.495, 179A.070, 179A.165,~~
48 ~~179D.160, 200.3771, 200.3772, 200.5095, 200.604, 202.3662, 205.4651, 209.392,~~
49 ~~209.3925, 209.419, 209.521, 211A.140, 213.010, 213.040, 213.095, 213.131,~~
50 ~~217.105, 217.110, 217.464, 217.475, 218A.350, 218E.625, 218F.150, 218G.130,~~
51 ~~218G.240, 218G.350, 228.270, 228.450, 228.495, 228.570, 231.069, 231.1473,~~
52 ~~233.190, 237.300, 239.0105, 239.0113, 239B.030, 239B.040, 239B.050, 239C.140,~~
53 ~~239C.210, 239C.230, 239C.250, 239C.270, 240.007, 241.020, 241.030, 241.039,~~

~~242.105, 244.264, 244.325, 247.540, 247.550, 247.560, 250.087, 250.130, 250.140, 250.150, 268.095, 268.490, 268.910, 271A.105, 281.195, 281.805, 281A.350, 281A.680, 281A.685, 281A.750, 281A.755, 281A.780, 284.4068, 286.110, 287.0438, 289.025, 289.080, 289.387, 289.830, 293.4855, 293.5002, 293.503, 293.504, 293.558, 293.906, 293.908, 293.910, 293B.135, 293D.510, 331.110, 332.061, 332.351, 333.333, 333.335, 338.070, 338.1379, 338.1593, 338.1725, 338.1727, 348.420, 349.597, 349.775, 353.205, 353A.049, 353A.085, 353A.100, 353C.240, 360.240, 360.247, 360.255, 360.755, 361.044, 361.610, 365.138, 366.160, 368A.180, 370.257, 370.327, 372A.080, 378.290, 378.300, 379.008, 379.1495, 385A.830, 385B.100, 387.626, 387.631, 388.1455, 388.259, 388.501, 388.503, 388.513, 388.750, 388A.247, 388A.249, 391.035, 391.120, 391.925, 392.029, 392.147, 392.264, 392.271, 392.315, 392.317, 392.325, 392.327, 392.335, 392.850, 394.167, 394.1698, 394.447, 394.460, 394.465, 396.3295, 396.405, 396.525, 396.535, 396.9685, 398A.115, 408.3885, 408.3886, 408.3888, 408.5484, 412.153, 416.070, 422.2749, 422.305, 422A.342, 422A.350, 425.400, 427A.1236, 427A.872, 432.028, 432.205, 432B.175, 432B.280, 432B.290, 432B.407, 432B.430, 432B.560, 432B.5902, 433.534, 433A.360, 437.145, 439.840, 439B.420, 440.170, 441A.195, 441A.220, 441A.230, 442.330, 442.395, 442.735, 445A.665, 445B.570, 449.209, 449.245, 449A.112, 450.140, 453.164, 453.720, 453A.610, 453A.700, 458.055, 458.280, 459.050, 459.3866, 459.555, 459.7056, 459.846, 462.120, 463.15993, 463.240, 463.3403, 463.3407, 464.790, 467.1005, 467.405, 480.940, 481.063, 481.091, 481.093, 482.170, 482.5536, 483.340, 483.363, 483.575, 483.659, 483.800, 484E.070, 485.316, 501.344, 503.452, 522.040, 534A.031, 561.285, 571.160, 584.655, 587.877, 598.0964, 598.098, 598A.110, 599B.090, 603.070, 603A.210, 604A.710, 612.265, 616B.012, 616B.015, 616B.315, 616B.350, 618.341, 618.425, 622.310, 623.131, 623A.137, 624.110, 624.265, 624.327, 625.425, 625A.185, 628.418, 628B.230, 628B.760, 629.047, 629.069, 630.133, 630.30665, 630.336, 630A.555, 631.368, 632.121, 632.125, 632.405, 633.283, 633.301, 633.524, 634.055, 634.214, 634A.185, 635.158, 636.107, 637.085, 637B.288, 638.087, 638.089, 639.2485, 639.570, 640.075, 640A.220, 640B.730, 640C.400, 640C.600, 640C.620, 640C.745, 640C.760, 640D.190, 640E.340, 641.090, 641.325, 641A.191, 641A.289, 641B.170, 641B.460, 641C.760, 641C.800, 642.524, 643.189, 644A.870, 645.180, 645.625, 645A.050, 645A.082, 645B.060, 645B.092, 645C.220, 645C.225, 645D.130, 645D.135, 645E.300, 645E.375, 645G.510, 645H.320, 645H.330, 647.0945, 647.0947, 648.033, 648.197, 649.065, 649.067, 652.228, 654.110, 656.105, 661.115, 665.130, 665.133, 669.275, 669.285, 669A.310, 671.170, 673.450, 673.480, 675.380, 676A.340, 676A.370, 677.243, 679B.122, 679B.152, 679B.159, 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 section 27 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.~~

~~2. 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. (Deleted by amendment.)~~

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

~~*In addition to any other requirements set forth in this chapter and any regulations adopted pursuant thereto, each applicant for the issuance or renewal of a license as an attendant or certification as an emergency medical technician, advanced emergency medical technician or paramedic shall submit to the health authority an automated letter from the Commissioner of Insurance evidencing that the applicant has completed the data request developed pursuant to section 27 of this act.* (Deleted by amendment.)~~

Sec. 25. ~~[Chapter 679B of NRS is hereby amended by adding thereto the provisions set forth as sections 26 and 27 of this act.] (Deleted by amendment.)~~

Sec. 26. Chapter 679B of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Commissioner shall:

(a) Develop, prescribe and make available on an Internet website maintained by the Division a form letter that a health carrier must use to notify a provider of health care of the denial of his or her application to be included in the network of providers of the health carrier. The form letter must include, without limitation, a place for the health carrier to explain the reason for the denial of the application.

(b) Hold hearings to solicit public input when developing the form letter described in paragraph (a) and consider such input when developing the form letter.

2. A health carrier shall submit to the Commissioner a copy of each form letter sent to a provider of health care pursuant to subsection 1 at the same time the letter is sent to the provider of health care. Except as otherwise provided in subsection 3, the forms submitted pursuant to the Commissioner pursuant to this subsection and the information contained therein are confidential.

3. The Commissioner shall:

(a) Annually compile a report using aggregated data from the forms collected pursuant to subsection 2 concerning trends in the denial of applications of providers of health care to be included in the network of providers of a health carrier. The report must include, without limitation, the number of total denials, the number of denials for different types of providers of health care, the number of denials by different carriers and the reasons for such denials.

(b) Post the report on an Internet website maintained by the Division.

(c) Submit the report to the Governor and the Director of the Legislative Counsel Bureau for transmittal to the Legislature.

4. As used in this section, "health carrier" means an entity subject to the insurance laws and regulations of this State, or subject to the jurisdiction of the Commissioner, that contracts or offers to contract to provide, deliver, arrange for, pay for or reimburse any of the costs of health care services, including, without limitation, a sickness and accident health insurance company, a health maintenance organization, a nonprofit hospital and health service corporation or any other entity providing a plan of health insurance, health benefits or health care services.

Sec. 27. ~~1. The Commissioner shall develop and make available on an Internet website maintained by the Division an electronic data request to be completed by an applicant for the issuance or renewal of a license, certificate or registration as a provider of health care. The data request must:~~

~~(a) Solicit from each such applicant:~~

~~(1) His or her name, gender, race, ethnicity, specialty area, mailing address and electronic mail address;~~

~~(2) The status of his or her license, certificate or registration;~~

~~(3) The address of each location where the provider of health care practices or intends to practice and the percentage of time spent by the provider at each location;~~

~~(4) Any language, other than English, in which the provider of health care is fluent; and~~

~~(5) Any other information prescribed by regulation of the Commissioner; and~~

~~(b) Provide to an applicant for a license, certificate or registration who completes the data request an automated letter that may be submitted by the provider of health care with his or her application for the issuance or renewal of his or her license, certificate or registration as proof of completion.~~

~~2. The Commissioner shall establish and maintain a database of information collected pursuant to subsection 1. Any personally identifiable information contained in the database is confidential and must not be disclosed to any person or entity.~~

~~3. The Commissioner may provide to other governmental entities individual data from the database if the information 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. Individualized information contained in the database is otherwise confidential.~~

~~4. The Commissioner shall annually compile a report containing information from the database that is aggregated for each type of license, certificate or registration and make the report available to the public. No personally identifiable information may be included in such a report.~~

~~5. The Commissioner may:~~

~~(a) Enter into any contracts or agreements necessary to carry out the requirements of this section; and~~

~~(b) Apply for and accept any gifts, grants and donations to carry out the requirements of this section.~~

~~6. As used in this section, "provider of health care" means:~~

~~(a) A physician licensed pursuant to chapter 630, 630A or 633 of NRS;~~

~~(b) A physician assistant;~~

~~(c) A dentist;~~

~~(d) A licensed nurse;~~

~~(c) A person who holds a license as an attendant or who is certified as an emergency medical technician, advanced emergency medical technician or paramedic pursuant to chapter 450B of NRS;~~

~~(f) A dispensing optician;~~

~~(g) An optometrist;~~

~~(h) A speech language pathologist;~~

~~(i) An audiologist;~~

~~(j) A practitioner of respiratory care;~~

~~(k) A licensed physical therapist;~~

~~(l) An occupational therapist;~~

~~(m) A podiatric physician;~~

~~(n) A licensed psychologist;~~

~~(o) A licensed marriage and family therapist;~~

~~(p) A licensed clinical professional counselor;~~

~~(q) A music therapist;~~

~~(r) A chiropractor;~~

~~(s) An athletic trainer;~~

~~(t) A perfusionist;~~

~~(u) A doctor of Oriental medicine in any form;~~

~~(v) A medical laboratory director or technician;~~

~~(w) A pharmacist;~~

~~(x) A licensed dietitian;~~

~~(y) An associate in social work, a social worker, an independent social worker or a clinical social worker licensed pursuant to chapter 641B of NRS;~~

~~(z) An alcohol and drug abuse counselor or a problem gambling counselor who is certified pursuant to chapter 641C of NRS; or~~

~~(aa) An alcohol and drug abuse counselor or a clinical alcohol and drug abuse counselor who is licensed pursuant to chapter 641C of NRS.] (Deleted by amendment.)~~

Sec. 27.3. 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, 76.160, 78.152, 80.113, 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413, 87A.200, 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345, 88A.7345, 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270, 116B.880, 118B.026, 119.260, 119.265, 119.267, 119.280, 119A.280, 119A.653, 119B.370, 119B.382, 120A.690, 125.130, 125B.140, 126.141, 126.161, 126.163, 126.730, 127.007, 127.057, 127.130, 127.140, 127.2817, 128.090, 130.312, 130.712, 136.050, 159.044, 159A.044, 172.075, 172.245, 176.01249, 176.015, 176.0625, 176.09129, 176.156, 176A.630, 178.39801, 178.4715, 178.5691, 179.495, 179A.070, 179A.165, 179D.160, 200.3771, 200.3772, 200.5095, 200.604, 202.3662, 205.4651, 209.392, 209.3925, 209.419, 209.521, 211A.140, 213.010, 213.040, 213.095, 213.131, 217.105, 217.110, 217.464, 217.475, 218A.350, 218E.625, 218F.150, 218G.130, 218G.240, 218G.350, 228.270, 228.450, 228.495, 228.570, 231.069, 231.1473, 233.190, 237.300, 239.0105, 239.0113, 239B.030, 239B.040, 239B.050, 239C.140, 239C.210, 239C.230, 239C.250, 239C.270, 240.007, 241.020, 241.030, 241.039, 242.105, 244.264, 244.335, 247.540, 247.550, 247.560, 250.087, 250.130, 250.140, 250.150, 268.095, 268.490, 268.910, 271A.105, 281.195, 281.805, 281A.350, 281A.680, 281A.685, 281A.750, 281A.755, 281A.780, 284.4068, 286.110, 287.0438, 289.025, 289.080, 289.387, 289.830, 293.4855, 293.5002, 293.503, 293.504, 293.558, 293.906, 293.908, 293.910, 293B.135, 293D.510, 331.110, 332.061, 332.351, 333.333, 333.335, 338.070, 338.1379, 338.1593, 338.1725,

338.1727, 348.420, 349.597, 349.775, 353.205, 353A.049, 353A.085, 353A.100, 353C.240, 360.240, 360.247, 360.255, 360.755, 361.044, 361.610, 365.138, 366.160, 368A.180, 370.257, 370.327, 372A.080, 378.290, 378.300, 379.008, 379.1495, 385A.830, 385B.100, 387.626, 387.631, 388.1455, 388.259, 388.501, 388.503, 388.513, 388.750, 388A.247, 388A.249, 391.035, 391.120, 391.925, 392.029, 392.147, 392.264, 392.271, 392.315, 392.317, 392.325, 392.327, 392.335, 392.850, 394.167, 394.1698, 394.447, 394.460, 394.465, 396.3295, 396.405, 396.525, 396.535, 396.9685, 398A.115, 408.3885, 408.3886, 408.3888, 408.5484, 412.153, 416.070, 422.2749, 422.305, 422A.342, 422A.350, 425.400, 427A.1236, 427A.872, 432.028, 432.205, 432B.175, 432B.280, 432B.290, 432B.407, 432B.430, 432B.560, 432B.5902, 433.534, 433A.360, 437.145, 439.840, 439B.420, 440.170, 441A.195, 441A.220, 441A.230, 442.330, 442.395, 442.735, 445A.665, 445B.570, 449.209, 449.245, 449A.112, 450.140, 453.164, 453.720, 453A.610, 453A.700, 458.055, 458.280, 459.050, 459.3866, 459.555, 459.7056, 459.846, 463.120, 463.15993, 463.240, 463.3403, 463.3407, 463.790, 467.1005, 480.365, 480.940, 481.063, 481.091, 481.093, 482.170, 482.5536, 483.340, 483.363, 483.575, 483.659, 483.800, 484E.070, 485.316, 501.344, 503.452, 522.040, 534A.031, 561.285, 571.160, 584.655, 587.877, 598.0964, 598.098, 598A.110, 599B.090, 603.070, 603A.210, 604A.710, 612.265, 616B.012, 616B.015, 616B.315, 616B.350, 618.341, 618.425, 622.310, 623.131, 623A.137, 624.110, 624.265, 624.327, 625.425, 625A.185, 628.418, 628B.230, 628B.760, 629.017, 629.069, 630.133, 630.30665, 630.336, 630A.555, 631.368, 632.121, 632.125, 632.405, 633.283, 633.301, 633.524, 634.055, 634.214, 634A.185, 635.158, 636.107, 637.085, 637B.288, 638.087, 638.089, 639.2485, 639.570, 640.075, 640A.220, 640B.730, 640C.400, 640C.600, 640C.620, 640C.745, 640C.760, 640D.190, 640E.340, 641.090, 641.325, 641A.191, 641A.289, 641B.170, 641B.460, 641C.760, 641C.800, 642.524, 643.189, 644A.870, 645.180, 645.625, 645A.050, 645A.082, 645B.060, 645B.092, 645C.220, 645C.225, 645D.130, 645D.135, 645E.300, 645E.375, 645G.510, 645H.320, 645H.330, 647.0945, 647.0947, 648.033, 648.197, 649.065, 649.067, 652.228, 654.110, 656.105, 661.115, 665.130, 665.133, 669.275, 669.285, 669A.310, 671.170, 673.450, 673.480, 675.380, 676A.340, 676A.370, 677.243, 679B.122, 679B.152, 679B.159, 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 section 26 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

1 receive a copy of a public book or record on the basis that the requested public
2 book or record contains information that is confidential if the governmental entity
3 can redact, delete, conceal or separate the confidential information from the
4 information included in the public book or record that is not otherwise confidential.

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

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

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

14 **Sec. 27.5. The provisions of subsection 1 of NRS 218D.380 do not apply**
15 **to any provision of this act which adds or revises a requirement to submit a**
16 **report to the Legislature.**

17 **Sec. 28.** This act becomes effective on July 1, 2019.