

SENATE BILL NO. 130—SENATOR WOODHOUSE

FEBRUARY 6, 2019

Referred to Committee on Commerce and Labor

**SUMMARY**—Provides for the licensing and regulation of certain persons who administer radiation. (BDR 40-61)

**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 radiation; creating the Radiation Therapy and Radiologic Imaging Advisory Committee; providing for a license to engage in radiation therapy or radiologic imaging; providing for a limited license to engage in radiologic imaging; prescribing the requirements for the issuance and renewal of such a license and limited license; authorizing certain persons to practice as radiologist assistants; prescribing additional qualifications for a person to perform certain types of radiation therapy and radiologic imaging; providing for the enforcement of the requirements concerning radiation therapy and radiologic imaging; authorizing the imposition of disciplinary action or an injunction against a person who engages in radiation therapy or radiologic imaging in certain circumstances; providing penalties; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

- 1 Existing law requires the State Board of Health to adopt regulations for the
- 2 licensing of persons to: (1) receive, possess or transfer radioactive materials and
- 3 devices; and (2) engage in certain other activities relating to radioactive materials.
- 4 (NRS 459.201) **Section 9** of this bill authorizes the Division of Public and
- 5 Behavioral Health of the Department of Health and Human Services to suspend,
- 6 revoke or amend such a license or registration of a person who violates any
- 7 provision of statute or regulations governing radioactive materials or radiation.



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**Sections 22-51** of this bill add a new chapter to NRS governing the licensing and regulation of persons who engage in radiation therapy and radiologic imaging. **Section 32** of this bill exempts physicians, dentists, chiropractors, podiatrists and persons who administer radiation only to animals, other than humans, from such licensing and regulation.

**Section 35** of this bill prohibits a person from engaging in: (1) radiologic imaging unless he or she has obtained a license or limited license from the Division; or (2) radiation therapy unless he or she has obtained a license from the Division. **Sections 56, 60 and 62** of this bill: (1) authorize a dental hygienist, dental assistant, qualified dental technician, chiropractor's assistant, participant in certain chiropractic preceptor programs or podiatry hygienist to perform certain types of radiography within the practice of his or her profession if he or she has successfully completed certain training; and (2) prohibit such a person from otherwise engaging in radiation therapy or radiologic imaging. **Sections 57, 61 and 63** of this bill make conforming changes. **Sections 53-55 and 59** of this bill clarify that a physician assistant, practitioner of respiratory care or homeopathic assistant is prohibited from engaging in radiation therapy or radiologic imaging unless he or she holds a license or limited license.

**Sections 36 and 37** of this bill prescribe the qualifications for obtaining a license or a limited license. **Section 37** also establishes the types of limited licenses that may be issued. **Sections 38 and 39** of this bill provide for licensure by endorsement of persons who hold licenses in another state that correspond to a license to engage in radiation therapy and radiologic imaging or a limited license to engage in radiologic imaging. **Sections 40 and 50** of this bill provide for the denial or suspension of a license or a limited license if the licensee is delinquent in child support payments, in conformance with federal law. **Section 41** of this bill authorizes certain holders of a license to engage in radiation therapy and radiologic imaging to practice as a radiologist assistant. **Sections 2 and 65** of this bill authorize the holder of a license to engage in radiation therapy and radiologic imaging or a person training to obtain such a license to take certain actions with regard to drugs to the same extent as was previously authorized for a radiologic or nuclear medicine technician or trainee. **Section 3** of this bill makes a conviction of certain crimes involving dangerous drugs grounds for the suspension or revocation of a license to engage in radiation therapy and radiologic imaging.

**Section 42** of this bill authorizes: (1) an unlicensed person to engage in supervised radiation therapy or radiologic imaging without compensation for the purpose of qualifying for a certification that is a prerequisite for a license or limited license; or (2) a license to practice outside the scope of his or her license under supervision for the purpose of qualifying for a certification that is a prerequisite for being licensed. **Section 42** also authorizes the Division to issue a temporary student license, which authorizes an unlicensed person to engage in radiation therapy or radiologic imaging for compensation for the purpose of qualifying for certification that is a prerequisite for being licensed.

**Sections 44 and 45** of this bill prescribe the required qualifications to perform computed tomography and fluoroscopy, respectively. **Section 43** of this bill authorizes a person who is employed performing radiation therapy, radiologic imaging, computed tomography or fluoroscopy to continue to do so without obtaining a license from the Division if he or she registers with the Division and meets certain other requirements.

Existing law prohibits a person from operating a radiation machine for mammography unless the person holds a certificate to do so or is a licensed physician or physician assistant. (NRS 457.183) **Section 76** of this bill repeals this provision, and **section 46** of this bill enacts a similar provision that also requires a person to be licensed to engage in radiation therapy and radiologic imaging before obtaining a certificate. Although **section 32** exempts physicians from the



requirement to be licensed and certified before operating a radiation machine for mammography, this exemption does not apply to physician assistants. Therefore, **section 46** requires a physician assistant to be licensed to engage in radiation therapy and radiologic imaging and certified to operate a radiation machine for mammography before operating such a machine. **Sections 4-7** of this bill make conforming changes.

**Section 47** of this bill authorizes the Division to: (1) enter and inspect any private or public property for the purpose of enforcing the provisions of this bill governing radiation therapy and radiologic imaging; and (2) request any information necessary to ensure that persons engaged in radiation therapy and radiologic imaging meet applicable requirements. **Sections 19 and 47** of this bill provide for the confidentiality of such information and reports of inspections. **Section 48** of this bill: (1) prescribes the grounds for disciplinary action against a holder of a license, limited license or certificate; and (2) authorizes a person whose license, limited license or certificate has been revoked to apply to the Division for reinstatement after 2 years. **Section 49** of this bill requires the Division to: (1) investigate a complaint filed against a licensee; and (2) provide a licensee against whom disciplinary action may be imposed with the opportunity for a hearing. **Section 51** of this bill authorizes the Division to seek an injunction to prevent a violation of provisions of this bill governing the licensing and regulation of persons who engage in radiation therapy or radiologic imaging. **Sections 35, 41, 43, 45 and 46** make it a misdemeanor to engage in radiation therapy, radiologic imaging or other activity for which a credential is required without the proper credential.

**Section 33** of this bill creates the Radiation Therapy and Radiologic Imaging Advisory Committee to advise the State Board of Health, the Division and the Legislature concerning radiation therapy and radiologic imaging. **Section 34** of this bill requires the Board to adopt certain regulations relating to radiation therapy and radiologic imaging, including regulations defining the scope of practice for radiologist assistants and the holders of licenses and limited licenses. **Section 34** prohibits the Board from adopting standards of practice more stringent than those adopted by a national professional organization designated by the Division and recommended by the Committee. **Section 33** requires the Committee to recommend a national professional organization for that purpose.

Existing law requires the Legislative Committee on Health Care to review each regulation that certain licensing entities adopt which relates to standards for the issuance or renewal of a license. (NRS 439B.225) **Section 1** of this bill adds to the regulations reviewed by the Committee relating to the standards for the issuance of a license to engage in radiation therapy or radiologic imaging and a limited license to engage in radiologic imaging.

Existing law prohibits the Division from issuing or renewing the registration of a radiation machine unless the applicant attests that the radiologic technicians and nuclear medicine technicians employed by the applicant have knowledge of and are in compliance with certain guidelines for the prevention of transmission of infectious agents. (NRS 459.035) **Section 8** of this bill deletes those provisions and instead requires the operator of a radiation machine to be properly licensed and in compliance with the provisions of this bill concerning radiation therapy and radiologic imaging. **Section 35** requires a person to have knowledge of and be in compliance with those guidelines for the prevention and transmission of infectious agents.

**Sections 10-18, 20, 52, 58 and 64-72** of this bill make conforming changes to treat holders of licenses and limited licenses similarly to other providers of health care in certain respects.



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

**Section 1.** NRS 439B.225 is hereby amended to read as follows:

439B.225 1. As used in this section, “licensing board” means any division or board empowered to adopt standards for the issuance or renewal of licenses, permits or certificates of registration pursuant to NRS 433.601 to 433.621, inclusive, 435.3305 to 435.339, inclusive, chapter 449, 625A, 630, 630A, 631, 632, 633, 634, 634A, 635, 636, 637, 637B, 639, 640, 640A, 640D, 641, 641A, 641B, 641C, 652 or 654 of NRS ~~or~~ *or sections 22 to 51, inclusive, of this act.*

2. The Committee shall review each regulation that a licensing board proposes or adopts that relates to standards for the issuance or renewal of licenses, permits or certificates of registration issued to a person or facility regulated by the board, giving consideration to:

(a) Any oral or written comment made or submitted to it by members of the public or by persons or facilities affected by the regulation;

(b) The effect of the regulation on the cost of health care in this State;

(c) The effect of the regulation on the number of licensed, permitted or registered persons and facilities available to provide services in this State; and

(d) Any other related factor the Committee deems appropriate.

3. After reviewing a proposed regulation, the Committee shall notify the agency of the opinion of the Committee regarding the advisability of adopting or revising the proposed regulation.

4. The Committee shall recommend to the Legislature as a result of its review of regulations pursuant to this section any appropriate legislation.

**Sec. 2.** NRS 454.213 is hereby amended to read as follows:

454.213 1. Except as otherwise provided in NRS 454.217, a drug or medicine referred to in NRS 454.181 to 454.371, inclusive, may be possessed and administered by:

(a) A practitioner.

(b) A physician assistant licensed pursuant to chapter 630 or 633 of NRS, at the direction of his or her supervising physician or a licensed dental hygienist acting in the office of and under the supervision of a dentist.

(c) Except as otherwise provided in paragraph (d), a registered nurse licensed to practice professional nursing or licensed practical nurse, at the direction of a prescribing physician, physician assistant licensed pursuant to chapter 630 or 633 of NRS, dentist, podiatric



1 physician or advanced practice registered nurse, or pursuant to a  
2 chart order, for administration to a patient at another location.

3 (d) In accordance with applicable regulations of the Board, a  
4 registered nurse licensed to practice professional nursing or licensed  
5 practical nurse who is:

6 (1) Employed by a health care agency or health care facility  
7 that is authorized to provide emergency care, or to respond to the  
8 immediate needs of a patient, in the residence of the patient; and

9 (2) Acting under the direction of the medical director of that  
10 agency or facility who works in this State.

11 (e) A medication aide - certified at a designated facility under  
12 the supervision of an advanced practice registered nurse or  
13 registered nurse and in accordance with standard protocols  
14 developed by the State Board of Nursing. As used in this paragraph,  
15 "designated facility" has the meaning ascribed to it in  
16 NRS 632.0145.

17 (f) Except as otherwise provided in paragraph (g), an advanced  
18 emergency medical technician or a paramedic, as authorized by  
19 regulation of the State Board of Pharmacy and in accordance with  
20 any applicable regulations of:

21 (1) The State Board of Health in a county whose population  
22 is less than 100,000;

23 (2) A county board of health in a county whose population is  
24 100,000 or more; or

25 (3) A district board of health created pursuant to NRS  
26 439.362 or 439.370 in any county.

27 (g) An advanced emergency medical technician or a paramedic  
28 who holds an endorsement issued pursuant to NRS 450B.1975,  
29 under the direct supervision of a local health officer or a designee of  
30 the local health officer pursuant to that section.

31 (h) A respiratory therapist employed in a health care facility.  
32 The therapist may possess and administer respiratory products only  
33 at the direction of a physician.

34 (i) A dialysis technician, under the direction or supervision of a  
35 physician or registered nurse only if the drug or medicine is used for  
36 the process of renal dialysis.

37 (j) A medical student or student nurse in the course of his or her  
38 studies at an accredited college of medicine or approved school of  
39 professional or practical nursing, at the direction of a physician and:

40 (1) In the presence of a physician or a registered nurse; or

41 (2) Under the supervision of a physician or a registered nurse  
42 if the student is authorized by the college or school to administer the  
43 drug or medicine outside the presence of a physician or nurse.

44 ➤ A medical student or student nurse may administer a dangerous  
45 drug in the presence or under the supervision of a registered nurse



1 alone only if the circumstances are such that the registered nurse  
2 would be authorized to administer it personally.

3 (k) Any person designated by the head of a correctional  
4 institution.

5 (l) An ultimate user or any person designated by the ultimate  
6 user pursuant to a written agreement.

7 (m) A ~~[nuclear medicine technologist,]~~ *holder of a license to*  
8 *engage in radiation therapy and radiologic imaging issued*  
9 *pursuant to sections 22 to 51, inclusive, of this act,* at the direction  
10 of a physician and in accordance with any conditions established by  
11 regulation of the Board.

12 (n) ~~[A radiologic technologist, at the direction of a physician~~  
13 ~~and in accordance with any conditions established by regulation of~~  
14 ~~the Board.~~

15 ~~—(o)]~~ A chiropractic physician, but only if the drug or medicine is  
16 a topical drug used for cooling and stretching external tissue during  
17 therapeutic treatments.

18 ~~[(p)]~~ (o) A physical therapist, but only if the drug or medicine is  
19 a topical drug which is:

20 (1) Used for cooling and stretching external tissue during  
21 therapeutic treatments; and

22 (2) Prescribed by a licensed physician for:

23 (I) Iontophoresis; or

24 (II) The transmission of drugs through the skin using  
25 ultrasound.

26 ~~[(q)]~~ (p) In accordance with applicable regulations of the State  
27 Board of Health, an employee of a residential facility for groups, as  
28 defined in NRS 449.017, pursuant to a written agreement entered  
29 into by the ultimate user.

30 ~~[(r)]~~ (q) A veterinary technician or a veterinary assistant at the  
31 direction of his or her supervising veterinarian.

32 ~~[(s)]~~ (r) In accordance with applicable regulations of the Board,  
33 a registered pharmacist who:

34 (1) Is trained in and certified to carry out standards and  
35 practices for immunization programs;

36 (2) Is authorized to administer immunizations pursuant to  
37 written protocols from a physician; and

38 (3) Administers immunizations in compliance with the  
39 “Standards for Immunization Practices” recommended and  
40 approved by the Advisory Committee on Immunization Practices of  
41 the Centers for Disease Control and Prevention.

42 ~~[(t)]~~ (s) A registered pharmacist pursuant to written guidelines  
43 and protocols developed and approved pursuant to NRS 639.2809 or  
44 a collaborative practice agreement, as defined in NRS 639.0052.



~~[(u)]~~ (t) A person who is enrolled in a training program to become a physician assistant licensed pursuant to chapter 630 or 633 of NRS, dental hygienist, advanced emergency medical technician, paramedic, respiratory therapist, dialysis technician, ~~[nuclear medicine technologist, radiologic technologist,]~~ physical therapist or veterinary technician *or to obtain a license to engage in radiation therapy and radiologic imaging pursuant to sections 22 to 51, inclusive, of this act* if the person possesses and administers the drug or medicine in the same manner and under the same conditions that apply, respectively, to a physician assistant licensed pursuant to chapter 630 or 633 of NRS, dental hygienist, advanced emergency medical technician, paramedic, respiratory therapist, dialysis technician, ~~[nuclear medicine technologist, radiologic technologist,]~~ physical therapist, ~~[or]~~ veterinary technician *or person licensed to engage in radiation therapy and radiologic imaging* who may possess and administer the drug or medicine, and under the direct supervision of a person licensed or registered to perform the respective medical art or a supervisor of such a person.

~~[(v)]~~ (u) A medical assistant, in accordance with applicable regulations of the:

(1) Board of Medical Examiners, at the direction of the prescribing physician and under the supervision of a physician or physician assistant.

(2) State Board of Osteopathic Medicine, at the direction of the prescribing physician and under the supervision of a physician or physician assistant.

2. As used in this section, "accredited college of medicine" has the meaning ascribed to it in NRS 453.375.

**Sec. 3.** NRS 454.361 is hereby amended to read as follows:

454.361 A conviction of the violation of any of the provisions of NRS 454.181 to 454.371, inclusive, constitutes grounds for the suspension or revocation of any license issued to such person pursuant to the provisions of chapters 630, 631, 633, 635, 636, 638 or 639 of NRS ~~[ ]~~ *or sections 22 to 51, inclusive, of this act.*

**Sec. 4.** NRS 457.065 is hereby amended to read as follows:

457.065 The State Board of Health shall adopt regulations for the administration of this chapter which include, without limitation, standards for the ~~[ ]~~:

~~—1. Training and performance of a person who operates a radiation machine for mammography which are at least as stringent as the requirements for accreditation established by the American College of Radiology.~~

~~—2. Inspection]~~ *inspection* and authorization of a radiation machine for mammography which are at least as stringent as the



requirements for accreditation established by the American College of Radiology.

**Sec. 5.** NRS 457.184 is hereby amended to read as follows:

457.184 1. The owner, lessee or other responsible person shall not ~~{operate or}~~ allow to be operated a radiation machine for mammography unless ~~{he or she:}~~ :

(a) ~~{Has}~~ *The owner, lessee or other responsible person has* a valid certificate of authorization from the Division for the machine; and

(b) ~~{Is}~~ *The machine is* accredited by the American College of Radiology or meets the standards established by the State Board of Health pursuant to ~~{subsection 2 of}~~ NRS 457.065.

2. To obtain a certificate of authorization from the Division for a radiation machine for mammography, a person must:

(a) Submit an application to the Division on a form provided by the Division;

(b) Provide any additional information required by the Division; and

(c) Pay the fee required by the Division which must be calculated to cover the administrative costs directly related to the process of issuing the certificates.

3. After an inspection, the Division shall issue a certificate of authorization for a radiation machine for mammography if the machine:

(a) Meets the standards adopted by the State Board of Health pursuant to ~~{subsection 2 of}~~ NRS 457.065;

(b) Is specifically designed to perform mammography; and

(c) Is used to perform mammography and may be used for screening, diagnostic or therapeutic purposes.

4. A certificate of authorization for a radiation machine for mammography expires 1 year after the date on which it was issued unless renewed before that date. The Division may require an inspection of the machine as a prerequisite to renewal of a certificate and shall charge a fee for renewal that is calculated to cover the administrative costs directly related to the process of renewing certificates.

5. A person who owns or leases or is otherwise responsible for more than one radiation machine for mammography shall obtain a certificate of authorization for each radiation machine.

**Sec. 6.** NRS 457.185 is hereby amended to read as follows:

457.185 1. The Division shall grant or deny an application for ~~{a certificate of authorization to operate a radiation machine for mammography or}~~ a certificate of authorization for a radiation machine for mammography within 4 months after receipt of a complete application.





2. ~~[The Division shall withdraw the certificate of authorization to operate a radiation machine for mammography if it finds that the person violated the provisions of subsection 6 of NRS 457.183.~~

~~—3.]~~ The Division shall deny or withdraw the certificate of authorization of a radiation machine for mammography if it finds that the owner, lessee or other responsible person violated the provisions of subsection 1 of NRS 457.184.

~~[4.]~~ 3. If ~~[a certificate of authorization to operate a radiation machine for mammography or]~~ a certificate of authorization for a radiation machine for mammography is withdrawn, a person must apply for the certificate in the manner provided for an initial certificate.

**Sec. 7.** NRS 457.186 is hereby amended to read as follows:

457.186 Upon request, the Division shall hold an administrative hearing concerning the denial or withdrawal of an application for ~~[a certificate of authorization to operate a radiation machine for mammography or]~~ a certificate of authorization for a radiation machine for mammography.

**Sec. 8.** NRS 459.035 is hereby amended to read as follows:

459.035 The Division shall not issue or renew the registration of a radiation machine pursuant to regulations adopted by the State Board of Health unless the applicant for issuance or renewal of the registration attests that the ~~[radiologic technologists and nuclear medicine technologists]~~ *persons* employed by the applicant ~~[have knowledge of and are in compliance with the guidelines of the Centers for Disease Control and Prevention concerning the prevention of transmission of infectious agents through safe and appropriate injection practices.]~~ *to operate the radiation machine are properly licensed pursuant to sections 22 to 51, inclusive, of this act.*

**Sec. 9.** NRS 459.260 is hereby amended to read as follows:

459.260 1. *The Division may suspend, revoke or amend a license or registration issued pursuant to NRS 459.201 to a person who has violated any provision of NRS 459.010 to 459.290, inclusive, or any rule, regulation or order issued pursuant thereto.*

2. In the event of an emergency, the Division may impound, or order the impounding of, sources of ionizing radiation in the possession of any person who is not equipped to observe, or who fails to observe, any provision of NRS 459.010 to 459.290, inclusive, or any rules or regulations issued under NRS 459.010 to 459.290, inclusive.

**Sec. 10.** NRS 7.095 is hereby amended to read as follows:

7.095 1. An attorney shall not contract for or collect a fee contingent on the amount of recovery for representing a person seeking damages in connection with an action for injury or death



1 against a provider of health care based upon professional negligence  
2 in excess of:

- 3 (a) Forty percent of the first \$50,000 recovered;  
4 (b) Thirty-three and one-third percent of the next \$50,000  
5 recovered;  
6 (c) Twenty-five percent of the next \$500,000 recovered; and  
7 (d) Fifteen percent of the amount of recovery that exceeds  
8 \$600,000.

9 2. The limitations set forth in subsection 1 apply to all forms of  
10 recovery, including, without limitation, settlement, arbitration and  
11 judgment.

12 3. For the purposes of this section, "recovered" means the net  
13 sum recovered by the plaintiff after deducting any disbursements or  
14 costs incurred in connection with the prosecution or settlement of  
15 the claim. Costs of medical care incurred by the plaintiff and general  
16 and administrative expenses incurred by the office of the attorney  
17 are not deductible disbursements or costs.

18 4. As used in this section:

19 (a) "Professional negligence" means a negligent act or omission  
20 to act by a provider of health care in the rendering of professional  
21 services, which act or omission is the proximate cause of a personal  
22 injury or wrongful death. The term does not include services that are  
23 outside the scope of services for which the provider of health care is  
24 licensed or services for which any restriction has been imposed by  
25 the applicable regulatory board or health care facility.

26 (b) "Provider of health care" means a physician licensed under  
27 chapter 630 or 633 of NRS, dentist, registered nurse, dispensing  
28 optician, optometrist, registered physical therapist, podiatric  
29 physician, licensed psychologist, chiropractor, doctor of Oriental  
30 medicine, *holder of a license or a limited license issued under the*  
31 *provisions of sections 22 to 51, inclusive, of this act*, medical  
32 laboratory director or technician, licensed dietitian or a licensed  
33 hospital and its employees.

34 **Sec. 11.** NRS 41A.017 is hereby amended to read as follows:

35 41A.017 "Provider of health care" means a physician licensed  
36 pursuant to chapter 630 or 633 of NRS, physician assistant, dentist,  
37 licensed nurse, dispensing optician, optometrist, registered physical  
38 therapist, podiatric physician, licensed psychologist, chiropractor,  
39 doctor of Oriental medicine, *holder of a license or a limited license*  
40 *issued under the provisions of sections 22 to 51, inclusive, of this*  
41 *act*, medical laboratory director or technician, licensed dietitian or a  
42 licensed hospital, clinic, surgery center, physicians' professional  
43 corporation or group practice that employs any such person and its  
44 employees.



**Sec. 12.** NRS 42.021 is hereby amended to read as follows:

42.021 1. In an action for injury or death against a provider of health care based upon professional negligence, if the defendant so elects, the defendant may introduce evidence of any amount payable as a benefit to the plaintiff as a result of the injury or death pursuant to the United States Social Security Act, any state or federal income disability or worker's compensation act, any health, sickness or income-disability insurance, accident insurance that provides health benefits or income-disability coverage, and any contract or agreement of any group, organization, partnership or corporation to provide, pay for or reimburse the cost of medical, hospital, dental or other health care services. If the defendant elects to introduce such evidence, the plaintiff may introduce evidence of any amount that the plaintiff has paid or contributed to secure the plaintiff's right to any insurance benefits concerning which the defendant has introduced evidence.

2. A source of collateral benefits introduced pursuant to subsection 1 may not:

(a) Recover any amount against the plaintiff; or

(b) Be subrogated to the rights of the plaintiff against a defendant.

3. In an action for injury or death against a provider of health care based upon professional negligence, a district court shall, at the request of either party, enter a judgment ordering that money damages or its equivalent for future damages of the judgment creditor be paid in whole or in part by periodic payments rather than by a lump-sum payment if the award equals or exceeds \$50,000 in future damages.

4. In entering a judgment ordering the payment of future damages by periodic payments pursuant to subsection 3, the court shall make a specific finding as to the dollar amount of periodic payments that will compensate the judgment creditor for such future damages. As a condition to authorizing periodic payments of future damages, the court shall require a judgment debtor who is not adequately insured to post security adequate to assure full payment of such damages awarded by the judgment. Upon termination of periodic payments of future damages, the court shall order the return of this security, or so much as remains, to the judgment debtor.

5. A judgment ordering the payment of future damages by periodic payments entered pursuant to subsection 3 must specify the recipient or recipients of the payments, the dollar amount of the payments, the interval between payments, and the number of payments or the period of time over which payments will be made. Such payments must only be subject to modification in the event of the death of the judgment creditor. Money damages awarded for loss



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1 of future earnings must not be reduced or payments terminated by  
2 reason of the death of the judgment creditor, but must be paid to  
3 persons to whom the judgment creditor owed a duty of support, as  
4 provided by law, immediately before the judgment creditor's death.  
5 In such cases, the court that rendered the original judgment may,  
6 upon petition of any party in interest, modify the judgment to award  
7 and apportion the unpaid future damages in accordance with this  
8 subsection.

9 6. If the court finds that the judgment debtor has exhibited a  
10 continuing pattern of failing to make the periodic payments as  
11 specified pursuant to subsection 5, the court shall find the judgment  
12 debtor in contempt of court and, in addition to the required periodic  
13 payments, shall order the judgment debtor to pay the judgment  
14 creditor all damages caused by the failure to make such periodic  
15 payments, including, but not limited to, court costs and attorney's  
16 fees.

17 7. Following the occurrence or expiration of all obligations  
18 specified in the periodic payment judgment, any obligation of the  
19 judgment debtor to make further payments ceases and any security  
20 given pursuant to subsection 4 reverts to the judgment debtor.

21 8. As used in this section:

22 (a) "Future damages" includes damages for future medical  
23 treatment, care or custody, loss of future earnings, loss of bodily  
24 function, or future pain and suffering of the judgment creditor.

25 (b) "Periodic payments" means the payment of money or  
26 delivery of other property to the judgment creditor at regular  
27 intervals.

28 (c) "Professional negligence" means a negligent act or omission  
29 to act by a provider of health care in the rendering of professional  
30 services, which act or omission is the proximate cause of a personal  
31 injury or wrongful death. The term does not include services that are  
32 outside the scope of services for which the provider of health care is  
33 licensed or services for which any restriction has been imposed by  
34 the applicable regulatory board or health care facility.

35 (d) "Provider of health care" means a physician licensed under  
36 chapter 630 or 633 of NRS, dentist, licensed nurse, dispensing  
37 optician, optometrist, registered physical therapist, podiatric  
38 physician, licensed psychologist, chiropractor, doctor of Oriental  
39 medicine, *holder of a license or a limited license issued under the*  
40 *provisions of sections 22 to 51, inclusive, of this act*, medical  
41 laboratory director or technician, licensed dietitian or a licensed  
42 hospital and its employees.

43 **Sec. 13.** NRS 200.471 is hereby amended to read as follows:

44 200.471 1. As used in this section:

45 (a) "Assault" means:



(1) Unlawfully attempting to use physical force against another person; or

(2) Intentionally placing another person in reasonable apprehension of immediate bodily harm.

(b) "Fire-fighting agency" has the meaning ascribed to it in NRS 239B.020.

(c) "Officer" means:

(1) A person who possesses some or all of the powers of a peace officer;

(2) A person employed in a full-time salaried occupation of fire fighting for the benefit or safety of the public;

(3) A member of a volunteer fire department;

(4) A jailer, guard or other correctional officer of a city or county jail;

(5) A justice of the Supreme Court, judge of the Court of Appeals, district judge, justice of the peace, municipal judge, magistrate, court commissioner, master or referee, including a person acting pro tempore in a capacity listed in this subparagraph;

(6) An employee of this State or a political subdivision of this State whose official duties require the employee to make home visits;

(7) A civilian employee or a volunteer of a law enforcement agency whose official duties require the employee or volunteer to:

(I) Interact with the public;

(II) Perform tasks related to law enforcement; and

(III) Wear identification, clothing or a uniform that identifies the employee or volunteer as working or volunteering for the law enforcement agency;

(8) A civilian employee or a volunteer of a fire-fighting agency whose official duties require the employee or volunteer to:

(I) Interact with the public;

(II) Perform tasks related to fire fighting or fire prevention; and

(III) Wear identification, clothing or a uniform that identifies the employee or volunteer as working or volunteering for the fire-fighting agency; or

(9) A civilian employee or volunteer of this State or a political subdivision of this State whose official duties require the employee or volunteer to:

(I) Interact with the public;

(II) Perform tasks related to code enforcement; and

(III) Wear identification, clothing or a uniform that identifies the employee or volunteer as working or volunteering for this State or a political subdivision of this State.



(d) "Provider of health care" means a physician, a medical student, a perfusionist or a physician assistant licensed pursuant to chapter 630 of NRS, a practitioner of respiratory care, a homeopathic physician, an advanced practitioner of homeopathy, a homeopathic assistant, an osteopathic physician, a physician assistant licensed pursuant to chapter 633 of NRS, a podiatric physician, a podiatry hygienist, a physical therapist, a medical laboratory technician, an optometrist, a chiropractor, a chiropractor's assistant, a doctor of Oriental medicine, a nurse, a student nurse, a certified nursing assistant, a nursing assistant trainee, a medication aide - certified, a dentist, a dental student, a dental hygienist, a dental hygienist student, a pharmacist, a pharmacy student, an intern pharmacist, an attendant on an ambulance or air ambulance, a psychologist, a social worker, a marriage and family therapist, a marriage and family therapist intern, a clinical professional counselor, a clinical professional counselor intern, a licensed dietitian, *the holder of a license or a limited license issued under the provisions of sections 22 to 51, inclusive, of this act*, an emergency medical technician, an advanced emergency medical technician and a paramedic.

(e) "School employee" means a licensed or unlicensed person employed by a board of trustees of a school district pursuant to NRS 391.100 or 391.281.

(f) "Sporting event" has the meaning ascribed to it in NRS 41.630.

(g) "Sports official" has the meaning ascribed to it in NRS 41.630.

(h) "Taxicab" has the meaning ascribed to it in NRS 706.8816.

(i) "Taxicab driver" means a person who operates a taxicab.

(j) "Transit operator" means a person who operates a bus or other vehicle as part of a public mass transportation system.

2. A person convicted of an assault shall be punished:

(a) If paragraph (c) or (d) does not apply to the circumstances of the crime and the assault is not made with the use of a deadly weapon or the present ability to use a deadly weapon, for a misdemeanor.

(b) If the assault is made with the use of a deadly weapon or the present ability to use a deadly weapon, for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, or by a fine of not more than \$5,000, or by both fine and imprisonment.

(c) If paragraph (d) does not apply to the circumstances of the crime and if the assault is committed upon an officer, a provider of health care, a school employee, a taxicab driver or a transit operator who is performing his or her duty or upon a sports official based on



the performance of his or her duties at a sporting event and the person charged knew or should have known that the victim was an officer, a provider of health care, a school employee, a taxicab driver, a transit operator or a sports official, for a gross misdemeanor, unless the assault is made with the use of a deadly weapon or the present ability to use a deadly weapon, then for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, or by a fine of not more than \$5,000, or by both fine and imprisonment.

(d) If the assault is committed upon an officer, a provider of health care, a school employee, a taxicab driver or a transit operator who is performing his or her duty or upon a sports official based on the performance of his or her duties at a sporting event by a probationer, a prisoner who is in lawful custody or confinement or a parolee, and the probationer, prisoner or parolee charged knew or should have known that the victim was an officer, a provider of health care, a school employee, a taxicab driver, a transit operator or a sports official, for a category D felony as provided in NRS 193.130, unless the assault is made with the use of a deadly weapon or the present ability to use a deadly weapon, then for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, or by a fine of not more than \$5,000, or by both fine and imprisonment.

**Sec. 14.** NRS 200.5093 is hereby amended to read as follows:

200.5093 1. Any person who is described in subsection 4 and who, in a professional or occupational capacity, knows or has reasonable cause to believe that an older person has been abused, neglected, exploited, isolated or abandoned shall:

(a) Except as otherwise provided in subsection 2, report the abuse, neglect, exploitation, isolation or abandonment of the older person to:

(1) The local office of the Aging and Disability Services Division of the Department of Health and Human Services;

(2) A police department or sheriff's office; or

(3) A toll-free telephone service designated by the Aging and Disability Services Division of the Department of Health and Human Services; and

(b) Make such a report as soon as reasonably practicable but not later than 24 hours after the person knows or has reasonable cause to believe that the older person has been abused, neglected, exploited, isolated or abandoned.

2. If a person who is required to make a report pursuant to subsection 1 knows or has reasonable cause to believe that the



1 abuse, neglect, exploitation, isolation or abandonment of the older  
2 person involves an act or omission of the Aging and Disability  
3 Services Division, another division of the Department of Health and  
4 Human Services or a law enforcement agency, the person shall  
5 make the report to an agency other than the one alleged to have  
6 committed the act or omission.

7 3. Each agency, after reducing a report to writing, shall forward  
8 a copy of the report to the Aging and Disability Services Division of  
9 the Department of Health and Human Services and the Unit for the  
10 Investigation and Prosecution of Crimes.

11 4. A report must be made pursuant to subsection 1 by the  
12 following persons:

13 (a) Every physician, dentist, dental hygienist, chiropractor,  
14 optometrist, podiatric physician, medical examiner, resident, intern,  
15 professional or practical nurse, physician assistant licensed pursuant  
16 to chapter 630 or 633 of NRS, perfusionist, psychiatrist,  
17 psychologist, marriage and family therapist, clinical professional  
18 counselor, clinical alcohol and drug abuse counselor, alcohol and  
19 drug abuse counselor, music therapist, athletic trainer, driver of an  
20 ambulance, paramedic, licensed dietitian, *holder of a license or a  
21 limited license issued under the provisions of sections 22 to 51,  
22 inclusive, of this act* or other person providing medical services  
23 licensed or certified to practice in this State, who examines, attends  
24 or treats an older person who appears to have been abused,  
25 neglected, exploited, isolated or abandoned.

26 (b) Any personnel of a hospital or similar institution engaged in  
27 the admission, examination, care or treatment of persons or an  
28 administrator, manager or other person in charge of a hospital or  
29 similar institution upon notification of the suspected abuse, neglect,  
30 exploitation, isolation or abandonment of an older person by a  
31 member of the staff of the hospital.

32 (c) A coroner.

33 (d) Every person who maintains or is employed by an agency to  
34 provide personal care services in the home.

35 (e) Every person who maintains or is employed by an agency to  
36 provide nursing in the home.

37 (f) Every person who operates, who is employed by or who  
38 contracts to provide services for an intermediary service  
39 organization as defined in NRS 449.4304.

40 (g) Any employee of the Department of Health and Human  
41 Services, except the State Long-Term Care Ombudsman appointed  
42 pursuant to NRS 427A.125 and any of his or her advocates or  
43 volunteers where prohibited from making such a report pursuant to  
44 45 C.F.R. § 1321.11.





(h) Any employee of a law enforcement agency or a county's office for protective services or an adult or juvenile probation officer.

(i) Any person who maintains or is employed by a facility or establishment that provides care for older persons.

(j) Any person who maintains, is employed by or serves as a volunteer for an agency or service which advises persons regarding the abuse, neglect, exploitation, isolation or abandonment of an older person and refers them to persons and agencies where their requests and needs can be met.

(k) Every social worker.

(l) Any person who owns or is employed by a funeral home or mortuary.

(m) Every person who operates or is employed by a peer support recovery organization, as defined in NRS 449.01563.

(n) Every person who operates or is employed by a community health worker pool, as defined in NRS 449.0028, or with whom a community health worker pool contracts to provide the services of a community health worker, as defined in NRS 449.0027.

5. A report may be made by any other person.

6. If a person who is required to make a report pursuant to subsection 1 knows or has reasonable cause to believe that an older person has died as a result of abuse, neglect, isolation or abandonment, the person shall, as soon as reasonably practicable, report this belief to the appropriate medical examiner or coroner, who shall investigate the cause of death of the older person and submit to the appropriate local law enforcement agencies, the appropriate prosecuting attorney, the Aging and Disability Services Division of the Department of Health and Human Services and the Unit for the Investigation and Prosecution of Crimes his or her written findings. The written findings must include the information required pursuant to the provisions of NRS 200.5094, when possible.

7. A division, office or department which receives a report pursuant to this section shall cause the investigation of the report to commence within 3 working days. A copy of the final report of the investigation conducted by a division, office or department, other than the Aging and Disability Services Division of the Department of Health and Human Services, must be forwarded within 30 days after the completion of the report to the:

(a) Aging and Disability Services Division;

(b) Repository for Information Concerning Crimes Against Older Persons created by NRS 179A.450; and

(c) Unit for the Investigation and Prosecution of Crimes.



8. If the investigation of a report results in the belief that an older person is abused, neglected, exploited, isolated or abandoned, the Aging and Disability Services Division of the Department of Health and Human Services or the county's office for protective services may provide protective services to the older person if the older person is able and willing to accept them.

9. A person who knowingly and willfully violates any of the provisions of this section is guilty of a misdemeanor.

10. As used in this section, "Unit for the Investigation and Prosecution of Crimes" means the Unit for the Investigation and Prosecution of Crimes Against Older Persons in the Office of the Attorney General created pursuant to NRS 228.265.

**Sec. 15.** NRS 200.50935 is hereby amended to read as follows:

200.50935 1. Any person who is described in subsection 3 and who, in a professional or occupational capacity, knows or has reasonable cause to believe that a vulnerable person has been abused, neglected, exploited, isolated or abandoned shall:

(a) Report the abuse, neglect, exploitation, isolation or abandonment of the vulnerable person to a law enforcement agency; and

(b) Make such a report as soon as reasonably practicable but not later than 24 hours after the person knows or has reasonable cause to believe that the vulnerable person has been abused, neglected, exploited, isolated or abandoned.

2. If a person who is required to make a report pursuant to subsection 1 knows or has reasonable cause to believe that the abuse, neglect, exploitation, isolation or abandonment of the vulnerable person involves an act or omission of a law enforcement agency, the person shall make the report to a law enforcement agency other than the one alleged to have committed the act or omission.

3. A report must be made pursuant to subsection 1 by the following persons:

(a) Every physician, dentist, dental hygienist, chiropractor, optometrist, podiatric physician, medical examiner, resident, intern, professional or practical nurse, perfusionist, physician assistant licensed pursuant to chapter 630 or 633 of NRS, psychiatrist, psychologist, marriage and family therapist, clinical professional counselor, clinical alcohol and drug abuse counselor, alcohol and drug abuse counselor, music therapist, athletic trainer, driver of an ambulance, paramedic, licensed dietitian, *holder of a license or a limited license issued under the provisions of sections 22 to 51, inclusive, of this act* or other person providing medical services licensed or certified to practice in this State, who examines, attends



1 or treats a vulnerable person who appears to have been abused,  
2 neglected, exploited, isolated or abandoned.

3 (b) Any personnel of a hospital or similar institution engaged in  
4 the admission, examination, care or treatment of persons or an  
5 administrator, manager or other person in charge of a hospital or  
6 similar institution upon notification of the suspected abuse, neglect,  
7 exploitation, isolation or abandonment of a vulnerable person by a  
8 member of the staff of the hospital.

9 (c) A coroner.

10 (d) Every person who maintains or is employed by an agency to  
11 provide nursing in the home.

12 (e) Any employee of the Department of Health and Human  
13 Services.

14 (f) Any employee of a law enforcement agency or an adult or  
15 juvenile probation officer.

16 (g) Any person who maintains or is employed by a facility or  
17 establishment that provides care for vulnerable persons.

18 (h) Any person who maintains, is employed by or serves as a  
19 volunteer for an agency or service which advises persons regarding  
20 the abuse, neglect, exploitation, isolation or abandonment of a  
21 vulnerable person and refers them to persons and agencies where  
22 their requests and needs can be met.

23 (i) Every social worker.

24 (j) Any person who owns or is employed by a funeral home or  
25 mortuary.

26 4. A report may be made by any other person.

27 5. If a person who is required to make a report pursuant to  
28 subsection 1 knows or has reasonable cause to believe that a  
29 vulnerable person has died as a result of abuse, neglect, isolation or  
30 abandonment, the person shall, as soon as reasonably practicable,  
31 report this belief to the appropriate medical examiner or coroner,  
32 who shall investigate the cause of death of the vulnerable person and  
33 submit to the appropriate local law enforcement agencies and the  
34 appropriate prosecuting attorney his or her written findings. The  
35 written findings must include the information required pursuant to  
36 the provisions of NRS 200.5094, when possible.

37 6. A law enforcement agency which receives a report pursuant  
38 to this section shall immediately initiate an investigation of the  
39 report.

40 7. A person who knowingly and willfully violates any of the  
41 provisions of this section is guilty of a misdemeanor.

42 **Sec. 16.** NRS 200.5095 is hereby amended to read as follows:

43 200.5095 1. Reports made pursuant to NRS 200.5093,  
44 200.50935 and 200.5094, and records and investigations relating to  
45 those reports, are confidential.



2. A person, law enforcement agency or public or private agency, institution or facility who willfully releases data or information concerning the reports and investigation of the abuse, neglect, exploitation, isolation or abandonment of older persons or vulnerable persons, except:

- (a) Pursuant to a criminal prosecution;
  - (b) Pursuant to NRS 200.50982; or
  - (c) To persons or agencies enumerated in subsection 3,
- ↳ is guilty of a misdemeanor.

3. Except as otherwise provided in subsection 2 and NRS 200.50982, data or information concerning the reports and investigations of the abuse, neglect, exploitation, isolation or abandonment of an older person or a vulnerable person is available only to:

(a) A physician who is providing care to an older person or a vulnerable person who may have been abused, neglected, exploited, isolated or abandoned;

(b) An agency responsible for or authorized to undertake the care, treatment and supervision of the older person or vulnerable person;

(c) A district attorney or other law enforcement official who requires the information in connection with an investigation of the abuse, neglect, exploitation, isolation or abandonment of the older person or vulnerable person;

(d) A court which has determined, in camera, that public disclosure of such information is necessary for the determination of an issue before it;

(e) A person engaged in bona fide research, but the identity of the subjects of the report must remain confidential;

(f) A grand jury upon its determination that access to such records is necessary in the conduct of its official business;

(g) Any comparable authorized person or agency in another jurisdiction;

(h) A legal guardian of the older person or vulnerable person, if the identity of the person who was responsible for reporting the alleged abuse, neglect, exploitation, isolation or abandonment of the older person or vulnerable person to the public agency is protected, and the legal guardian of the older person or vulnerable person is not the person suspected of such abuse, neglect, exploitation, isolation or abandonment;

(i) If the older person or vulnerable person is deceased, the executor or administrator of his or her estate, if the identity of the person who was responsible for reporting the alleged abuse, neglect, exploitation, isolation or abandonment of the older person or vulnerable person to the public agency is protected, and the executor



1 or administrator is not the person suspected of such abuse, neglect,  
2 exploitation, isolation or abandonment; or

3 (j) The older person or vulnerable person named in the report as  
4 allegedly being abused, neglected, exploited, isolated or abandoned,  
5 if that person is not legally incompetent.

6 4. If the person who is reported to have abused, neglected,  
7 exploited, isolated or abandoned an older person or a vulnerable  
8 person is the holder of a license or certificate issued pursuant to  
9 chapters 449, 630 to 641B, inclusive, or 654 of NRS, *or sections 22*  
10 *to 51, inclusive, of this act*, the information contained in the report  
11 must be submitted to the board that issued the license.

12 5. If data or information concerning the reports and  
13 investigations of the abuse, neglect, exploitation, isolation or  
14 abandonment of an older person or a vulnerable person is made  
15 available pursuant to paragraph (b) or (j) of subsection 3 or  
16 subsection 4, the name and any other identifying information of the  
17 person who made the report must be redacted before the data or  
18 information is made available.

19 **Sec. 17.** NRS 200.810 is hereby amended to read as follows:

20 200.810 "Health care procedure" means any medical  
21 procedure, other than a surgical procedure, that requires a license to  
22 perform pursuant to chapters 630 to 637, inclusive, 639 or 640 of  
23 NRS ~~§~~ *or sections 22 to 51, inclusive, of this act*.

24 **Sec. 18.** NRS 200.820 is hereby amended to read as follows:

25 200.820 "Surgical procedure" means any invasive medical  
26 procedure where a break in the skin is created and there is contact  
27 with the mucosa or any minimally invasive medical procedure  
28 where a break in the skin is created or which involves manipulation  
29 of the internal body cavity beyond a natural or artificial body orifice  
30 which requires a license to perform pursuant to chapters 630 to 637,  
31 inclusive, 639 or 640 of NRS ~~§~~ *or sections 22 to 51, inclusive, of*  
32 *this act*.

33 **Sec. 19.** NRS 239.010 is hereby amended to read as follows:

34 239.010 1. Except as otherwise provided in this section and  
35 NRS 1.4683, 1.4687, 1A.110, 3.2203, 41.071, 49.095, 49.293,  
36 62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030, 62H.170,  
37 62H.220, 62H.320, 75A.100, 75A.150, 76.160, 78.152, 80.113,  
38 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413, 87A.200,  
39 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345, 88A.7345,  
40 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270, 116B.880,  
41 118B.026, 119.260, 119.265, 119.267, 119.280, 119A.280,  
42 119A.653, 119B.370, 119B.382, 120A.690, 125.130, 125B.140,  
43 126.141, 126.161, 126.163, 126.730, 127.007, 127.057, 127.130,  
44 127.140, 127.2817, 128.090, 130.312, 130.712, 136.050, 159.044,  
45 159A.044, 172.075, 172.245, 176.01249, 176.015, 176.0625,



1 176.09129, 176.156, 176A.630, 178.39801, 178.4715, 178.5691,  
2 179.495, 179A.070, 179A.165, 179D.160, 200.3771, 200.3772,  
3 200.5095, 200.604, 202.3662, 205.4651, 209.392, 209.3925,  
4 209.419, 209.521, 211A.140, 213.010, 213.040, 213.095, 213.131,  
5 217.105, 217.110, 217.464, 217.475, 218A.350, 218E.625,  
6 218F.150, 218G.130, 218G.240, 218G.350, 228.270, 228.450,  
7 228.495, 228.570, 231.069, 231.1473, 233.190, 237.300, 239.0105,  
8 239.0113, 239B.030, 239B.040, 239B.050, 239C.140, 239C.210,  
9 239C.230, 239C.250, 239C.270, 240.007, 241.020, 241.030,  
10 241.039, 242.105, 244.264, 244.335, 247.540, 247.550, 247.560,  
11 250.087, 250.130, 250.140, 250.150, 268.095, 268.490, 268.910,  
12 271A.105, 281.195, 281.805, 281A.350, 281A.680, 281A.685,  
13 281A.750, 281A.755, 281A.780, 284.4068, 286.110, 287.0438,  
14 289.025, 289.080, 289.387, 289.830, 293.4855, 293.5002, 293.503,  
15 293.504, 293.558, 293.906, 293.908, 293.910, 293B.135, 293D.510,  
16 331.110, 332.061, 332.351, 333.333, 333.335, 338.070, 338.1379,  
17 338.1593, 338.1725, 338.1727, 348.420, 349.597, 349.775, 353.205,  
18 353A.049, 353A.085, 353A.100, 353C.240, 360.240, 360.247,  
19 360.255, 360.755, 361.044, 361.610, 365.138, 366.160, 368A.180,  
20 370.257, 370.327, 372A.080, 378.290, 378.300, 379.008, 379.1495,  
21 385A.830, 385B.100, 387.626, 387.631, 388.1455, 388.259,  
22 388.501, 388.503, 388.513, 388.750, 388A.247, 388A.249, 391.035,  
23 391.120, 391.925, 392.029, 392.147, 392.264, 392.271, 392.315,  
24 392.317, 392.325, 392.327, 392.335, 392.850, 394.167, 394.1698,  
25 394.447, 394.460, 394.465, 396.3295, 396.405, 396.525, 396.535,  
26 396.9685, 398A.115, 408.3885, 408.3886, 408.3888, 408.5484,  
27 412.153, 416.070, 422.2749, 422.305, 422A.342, 422A.350,  
28 425.400, 427A.1236, 427A.872, 432.028, 432.205, 432B.175,  
29 432B.280, 432B.290, 432B.407, 432B.430, 432B.560, 432B.5902,  
30 433.534, 433A.360, 437.145, 439.840, 439B.420, 440.170,  
31 441A.195, 441A.220, 441A.230, 442.330, 442.395, 442.735,  
32 445A.665, 445B.570, 449.209, 449.245, 449A.112, 450.140,  
33 453.164, 453.720, 453A.610, 453A.700, 458.055, 458.280, 459.050,  
34 459.3866, 459.555, 459.7056, 459.846, 463.120, 463.15993,  
35 463.240, 463.3403, 463.3407, 463.790, 467.1005, 480.365, 480.940,  
36 481.063, 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,  
38 522.040, 534A.031, 561.285, 571.160, 584.655, 587.877, 598.0964,  
39 598.098, 598A.110, 599B.090, 603.070, 603A.210, 604A.710,  
40 612.265, 616B.012, 616B.015, 616B.315, 616B.350, 618.341,  
41 618.425, 622.310, 623.131, 623A.137, 624.110, 624.265, 624.327,  
42 625.425, 625A.185, 628.418, 628B.230, 628B.760, 629.047,  
43 629.069, 630.133, 630.30665, 630.336, 630A.555, 631.368,  
44 632.121, 632.125, 632.405, 633.283, 633.301, 633.524, 634.055,  
45 634.214, 634A.185, 635.158, 636.107, 637.085, 637B.288, 638.087,



1 638.089, 639.2485, 639.570, 640.075, 640A.220, 640B.730,  
2 640C.400, 640C.600, 640C.620, 640C.745, 640C.760, 640D.190,  
3 640E.340, 641.090, 641.325, 641A.191, 641A.289, 641B.170,  
4 641B.460, 641C.760, 641C.800, 642.524, 643.189, 644A.870,  
5 645.180, 645.625, 645A.050, 645A.082, 645B.060, 645B.092,  
6 645C.220, 645C.225, 645D.130, 645D.135, 645E.300, 645E.375,  
7 645G.510, 645H.320, 645H.330, 647.0945, 647.0947, 648.033,  
8 648.197, 649.065, 649.067, 652.228, 654.110, 656.105, 661.115,  
9 665.130, 665.133, 669.275, 669.285, 669A.310, 671.170, 673.450,  
10 673.480, 675.380, 676A.340, 676A.370, 677.243, 679B.122,  
11 679B.152, 679B.159, 679B.190, 679B.285, 679B.690, 680A.270,  
12 681A.440, 681B.260, 681B.410, 681B.540, 683A.0873, 685A.077,  
13 686A.289, 686B.170, 686C.306, 687A.110, 687A.115, 687C.010,  
14 688C.230, 688C.480, 688C.490, 689A.696, 692A.117, 692C.190,  
15 692C.3507, 692C.3536, 692C.3538, 692C.354, 692C.420,  
16 693A.480, 693A.615, 696B.550, 696C.120, 703.196, 704B.320,  
17 704B.325, 706.1725, 706A.230, 710.159, 711.600, *and section 47*  
18 *of this act*, sections 35, 38 and 41 of chapter 478, Statutes of  
19 Nevada 2011 and section 2 of chapter 391, Statutes of Nevada 2013  
20 and unless otherwise declared by law to be confidential, all public  
21 books and public records of a governmental entity must be open at  
22 all times during office hours to inspection by any person, and may  
23 be fully copied or an abstract or memorandum may be prepared  
24 from those public books and public records. Any such copies,  
25 abstracts or memoranda may be used to supply the general public  
26 with copies, abstracts or memoranda of the records or may be used  
27 in any other way to the advantage of the governmental entity or of  
28 the general public. This section does not supersede or in any manner  
29 affect the federal laws governing copyrights or enlarge, diminish or  
30 affect in any other manner the rights of a person in any written book  
31 or record which is copyrighted pursuant to federal law.

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

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

42 4. A person may request a copy of a public record in any  
43 medium in which the public record is readily available. An officer,  
44 employee or agent of a governmental entity who has legal custody  
45 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. 20.** NRS 432B.220 is hereby amended to read as follows:

432B.220 1. Any person who is described in subsection 4 and who, in his or her professional or occupational capacity, knows or has reasonable cause to believe that a child has been abused or neglected shall:

(a) Except as otherwise provided in subsection 2, report the abuse or neglect of the child to an agency which provides child welfare services or to a law enforcement agency; and

(b) Make such a report as soon as reasonably practicable but not later than 24 hours after the person knows or has reasonable cause to believe that the child has been abused or neglected.

2. If a person who is required to make a report pursuant to subsection 1 knows or has reasonable cause to believe that the abuse or neglect of the child involves an act or omission of:

(a) A person directly responsible or serving as a volunteer for or an employee of a public or private home, institution or facility where the child is receiving child care outside of the home for a portion of the day, the person shall make the report to a law enforcement agency.

(b) An agency which provides child welfare services or a law enforcement agency, the person shall make the report to an agency other than the one alleged to have committed the act or omission, and the investigation of the abuse or neglect of the child must be made by an agency other than the one alleged to have committed the act or omission.

3. Any person who is described in paragraph (a) of subsection 4 who delivers or provides medical services to a newborn infant and who, in his or her professional or occupational capacity, knows or has reasonable cause to believe that the newborn infant has been affected by a fetal alcohol spectrum disorder or prenatal substance abuse or has withdrawal symptoms resulting from prenatal drug exposure shall, as soon as reasonably practicable but not later than 24 hours after the person knows or has reasonable cause to believe that the newborn infant is so affected or has such symptoms, notify an agency which provides child welfare services of the condition of the infant and refer each person who is responsible for the welfare of the infant to an agency which provides child welfare services for





appropriate counseling, training or other services. A notification and referral to an agency which provides child welfare services pursuant to this subsection shall not be construed to require prosecution for any illegal action.

4. A report must be made pursuant to subsection 1 by the following persons:

(a) A person providing services licensed or certified in this State pursuant to, without limitation, chapter 450B, 630, 630A, 631, 632, 633, 634, 634A, 635, 636, 637, 637B, 639, 640, 640A, 640B, 640C, 640D, 640E, 641, 641A, 641B or 641C of NRS ~~H~~ *or sections 22 to 51, inclusive, of this act.*

(b) Any personnel of a medical facility licensed pursuant to chapter 449 of NRS who are engaged in the admission, examination, care or treatment of persons or an administrator, manager or other person in charge of such a medical facility upon notification of suspected abuse or neglect of a child by a member of the staff of the medical facility.

(c) A coroner.

(d) A member of the clergy, practitioner of Christian Science or religious healer, unless the person has acquired the knowledge of the abuse or neglect from the offender during a confession.

(e) A person employed by a public school or private school and any person who serves as a volunteer at such a school.

(f) Any person who maintains or is employed by a facility or establishment that provides care for children, children's camp or other public or private facility, institution or agency furnishing care to a child.

(g) Any person licensed pursuant to chapter 424 of NRS to conduct a foster home.

(h) Any officer or employee of a law enforcement agency or an adult or juvenile probation officer.

(i) Except as otherwise provided in NRS 432B.225, an attorney.

(j) Any person who maintains, is employed by or serves as a volunteer for an agency or service which advises persons regarding abuse or neglect of a child and refers them to persons and agencies where their requests and needs can be met.

(k) Any person who is employed by or serves as a volunteer for a youth shelter. As used in this paragraph, "youth shelter" has the meaning ascribed to it in NRS 244.427.

(l) Any adult person who is employed by an entity that provides organized activities for children, including, without limitation, a person who is employed by a school district or public school.

5. A report may be made by any other person.

6. If a person who is required to make a report pursuant to subsection 1 knows or has reasonable cause to believe that a child



1 has died as a result of abuse or neglect, the person shall, as soon as  
2 reasonably practicable, report this belief to an agency which  
3 provides child welfare services or a law enforcement agency. If such  
4 a report is made to a law enforcement agency, the law enforcement  
5 agency shall notify an agency which provides child welfare services  
6 and the appropriate medical examiner or coroner of the report. If  
7 such a report is made to an agency which provides child welfare  
8 services, the agency which provides child welfare services shall  
9 notify the appropriate medical examiner or coroner of the report.  
10 The medical examiner or coroner who is notified of a report  
11 pursuant to this subsection shall investigate the report and submit  
12 his or her written findings to the appropriate agency which provides  
13 child welfare services, the appropriate district attorney and a law  
14 enforcement agency. The written findings must include, if  
15 obtainable, the information required pursuant to the provisions of  
16 subsection 2 of NRS 432B.230.

17 7. The agency, board, bureau, commission, department,  
18 division or political subdivision of the State responsible for the  
19 licensure, certification or endorsement of a person who is described  
20 in subsection 4 and who is required in his or her professional or  
21 occupational capacity to be licensed, certified or endorsed in this  
22 State shall, at the time of initial licensure, certification or  
23 endorsement:

24 (a) Inform the person, in writing or by electronic  
25 communication, of his or her duty as a mandatory reporter pursuant  
26 to this section;

27 (b) Obtain a written acknowledgment or electronic record from  
28 the person that he or she has been informed of his or her duty  
29 pursuant to this section; and

30 (c) Maintain a copy of the written acknowledgment or electronic  
31 record for as long as the person is licensed, certified or endorsed in  
32 this State.

33 8. The employer of a person who is described in subsection 4  
34 and who is not required in his or her professional or occupational  
35 capacity to be licensed, certified or endorsed in this State must, upon  
36 initial employment of the person:

37 (a) Inform the person, in writing or by electronic  
38 communication, of his or her duty as a mandatory reporter pursuant  
39 to this section;

40 (b) Obtain a written acknowledgment or electronic record from  
41 the person that he or she has been informed of his or her duty  
42 pursuant to this section; and

43 (c) Maintain a copy of the written acknowledgment or electronic  
44 record for as long as the person is employed by the employer.



9. Before a person may serve as a volunteer at a public school or private school, the school must:

(a) Inform the person, in writing or by electronic communication, of his or her duty as a mandatory reporter pursuant to this section and NRS 392.303;

(b) Obtain a written acknowledgment or electronic record from the person that he or she has been informed of his or her duty pursuant to this section and NRS 392.303; and

(c) Maintain a copy of the written acknowledgment or electronic record for as long as the person serves as a volunteer at the school.

10. As used in this section:

(a) "Private school" has the meaning ascribed to it in NRS 394.103.

(b) "Public school" has the meaning ascribed to it in NRS 385.007.

**Sec. 21.** Title 54 of NRS is hereby amended by adding thereto a new chapter to consist of the provisions set forth as sections 22 to 51, inclusive, of this act.

**Sec. 22.** *As used in this chapter, unless the context otherwise requires, the words and terms defined in sections 23 to 31, inclusive, of this act have the meanings ascribed to them in those sections.*

**Sec. 23.** *"Board" means the State Board of Health.*

**Sec. 24.** *"Certificate" means a certificate of authorization to operate a radiation machine for mammography issued pursuant to section 46 of this act.*

**Sec. 25.** *"Division" means the Division of Public and Behavioral Health of the Department of Health and Human Services.*

**Sec. 26.** *"License" means a license to engage in radiation therapy and radiologic imaging issued pursuant to section 36, 38 or 39 of this act. The term does not include a limited license.*

**Sec. 27.** *"Limited license" means a limited license to engage in radiologic imaging issued pursuant to section 37, 38 or 39 of this act.*

**Sec. 28.** *"Mammography" has the meaning ascribed to it in NRS 457.182.*

**Sec. 29.** *"Radiation therapy" means the administration of ionizing radiation for therapeutic purposes.*

**Sec. 30.** *"Radiologic imaging" means the use of ionizing radiation to diagnose or visualize a medical condition.*

**Sec. 31.** *"Radiologist assistant" means a person who holds a license and meets the requirements of section 41 of this act.*

**Sec. 32.** *The provisions of this chapter do not apply to:*



1     1. A physician licensed pursuant to chapter 630 or 633 of  
2 NRS.

3     2. A dentist licensed pursuant to chapter 631 of NRS.

4     3. A chiropractic physician licensed pursuant to chapter 634  
5 of NRS.

6     4. A podiatric physician licensed pursuant to chapter 635 of  
7 NRS.

8     5. The administration of radiation to nonhuman animals for  
9 any purpose, including, without limitation, therapy or imaging.

10    **Sec. 33. 1. The Radiation Therapy and Radiologic Imaging**  
11 **Advisory Committee is hereby created.**

12    2. The Committee consists of seven members, all of whom are  
13 voting members, appointed by the Governor. The Governor shall  
14 ensure that the members of the Committee represent the  
15 geographic diversity of this State. The Governor shall appoint to  
16 the Committee:

17    (a) One member who holds a license and is certified by the  
18 American Registry of Radiologic Technologists, or its successor  
19 organization, to practice in the area of radiography.

20    (b) One member who holds a license and is certified by the  
21 American Registry of Radiologic Technologists, or its successor  
22 organization, to practice in the area of nuclear medicine  
23 technology.

24    (c) One member who holds a license and is certified by the  
25 American Registry of Radiologic Technologists, or its successor  
26 organization, to practice in the area of radiation therapy.

27    (d) One member who holds a limited license.

28    (e) One member who is a physician specializing in radiology.

29    (f) One member who is a physician specializing in an area  
30 other than radiology, or a dentist, chiropractor or podiatrist.

31    (g) One member who is a person responsible for administering  
32 radiation therapy in a medical facility or office who is certified to  
33 provide clinical professional services in a field of medical physics.

34    3. After the initial terms, the members of the Committee serve  
35 terms of 3 years. A vacancy on the Committee must be filled in the  
36 same manner as the initial appointment. No member may serve  
37 more than two consecutive terms.

38    4. Members of the Committee serve without compensation,  
39 except that each member of the Committee is entitled to receive the  
40 per diem allowance and travel expenses provided for state officers  
41 and employees generally.

42    5. The Committee shall annually select a Chair from among  
43 the members appointed pursuant to paragraphs (a) to (d),  
44 inclusive, of subsection 2, and a Vice Chair from among its  
45 members.



6. *The Committee shall meet at least once each year and such other times as requested by the Administrator of the Division. The Committee may meet by telephone, videoconference or other electronic means in accordance with the provisions of chapter 241 of NRS. The Administrator shall prescribe the agenda for each meeting. The Committee may submit items to the Administrator to consider for inclusion on the agenda for a meeting.*

7. *The Committee shall:*

(a) *Recommend to the Board a national professional organization against which the scope of practice will be measured pursuant to paragraph (b) of subsection 1 of section 34 of this act; and*

(b) *Make such other recommendations to the Board, the Division and the Legislature concerning radiation therapy and radiologic imaging as it deems proper.*

**Sec. 34. 1. The Board shall adopt regulations:**

(a) *Establishing the fees for the application for and the issuance and renewal of a license or limited license.*

(b) *Defining the scope of practice for radiologist assistants and persons who hold licenses and limited licenses. Such regulations must be at least as stringent as the scope of practice adopted by a national professional organization whose membership consists of persons licensed or certified to engage in radiation therapy or radiologic imaging. The national professional organization must be designated by the Board upon the recommendation of the Radiation Therapy and Radiologic Imaging Advisory Committee pursuant to subsection 7 of section 33 of this act.*

(c) *Prescribing the requirements for continuing education for the renewal of a license or limited license. Such regulations must require the holder of a license to complete more hours of continuing education than the holder of a limited license.*

(d) *Prescribing the qualifications of a person who is authorized to supervise the holder of a limited license, the tasks for which such supervision is required and the level of supervision required.*

(e) *Defining the terms "crime involving moral turpitude" and "unprofessional conduct" for the purposes of section 48 of this act.*

(f) *Establishing standards for the training and performance of a person who holds a certificate. Such standards must be at least as stringent as the requirements for accreditation established by the American College of Radiology or its successor organization.*

2. *The Board may adopt any other regulations necessary or convenient to carry out the provisions of this chapter.*



3. At the same time that the Board provides notice pursuant to chapter 233B of NRS or NRS 241.020 of any meeting or workshop relating to the adoption of a proposed regulation pursuant to this chapter, the Board shall submit an electronic copy of the notice to the Radiation Therapy and Radiologic Imaging Advisory Committee created by section 33 of this act.

4. All money received from fees and penalties pursuant to the provisions of this chapter must be forwarded to the State Treasurer for credit to the Fund for the Care of Sites for the Disposal of Radioactive Waste created by NRS 459.231.

5. The Division shall enforce the provisions of this chapter.

**Sec. 35.** 1. Except as otherwise provided in sections 42, 43, 56, 60 and 62 of this act, a person shall not engage in:

(a) Radiologic imaging unless he or she has obtained a license or limited license from the Division.

(b) Radiation therapy unless he or she has obtained a license from the Division.

(c) Radiation therapy or radiologic imaging which is outside the scope of practice authorized for his or her license or limited license by the regulations adopted pursuant to section 34 of this act.

2. A person who wishes to obtain or renew a license or limited license must apply to the Division in the form prescribed by the Division.

3. A license or limited license expires 2 years after the date on which the license was issued and must be renewed on or before that date.

4. The Division shall not issue or renew a license or limited license unless the applicant for issuance or renewal of the license or limited license attests to knowledge of and compliance with the guidelines of the Centers for Disease Control and Prevention concerning the prevention of transmission of infectious agents through safe and appropriate injection practices.

5. A provisional license or provisional limited license may not be renewed and expires:

(a) On the date on which the holder of the provisional license or provisional limited license is issued a license or limited license by the Division;

(b) On the date on which the application of the holder of the provisional license or provisional limited license for a license or limited license is denied by the Division; or

(c) One year after the date on which the holder of the provisional license or provisional limited license is initially employed to engage in radiation therapy or radiologic imaging.



6. A person who engages in radiation therapy or radiologic imaging in violation of the provisions of this section is guilty of a misdemeanor.

**Sec. 36.** The Division may issue a license to engage in radiation therapy and radiologic imaging to a person who:

1. Has successfully completed an educational program accredited by the Joint Review Committee on Education in Radiologic Technology, or its successor organization, the Joint Review Committee on Educational Programs in Nuclear Medicine Technology, or its successor organization, or another national accrediting organization approved by the Division; and

2. Is certified by the American Registry of Radiologic Technologists, or its successor organization, to practice in the area of radiography, nuclear medicine technology or radiation therapy or the Nuclear Medicine Technology Certification Board, or its successor organization, in nuclear medicine or meets any alternative standards prescribed by regulation of the Board.

**Sec. 37.** 1. The Division may issue a limited license to engage in radiologic imaging to a person who has completed a course of study in limited X-ray machine operation that incorporates the Limited X-Ray Machine Operator Curriculum prescribed by the American Society of Radiologic Technologists, or its successor organization, and satisfies the provisions of subsection 2.

2. A person may obtain a limited license only if the person:

(a) Has passed an examination for the limited scope of practice in radiography administered by the American Registry of Radiologic Technologists or its successor organization;

(b) If applying for a limited license in spine and extremity radiography, is certified by the American Chiropractic Registry of Radiologic Technologists or its successor organization;

(c) If applying for a limited license in podiatric radiography, is licensed as a podiatry hygienist pursuant to NRS 635.093 or certified by the American Society of Podiatric Medical Assistants or its successor organization; or

(d) If applying for a limited license in bone densitometry, is certified as a bone densitometry technologist or a certified densitometry technologist by the International Society for Clinical Densitometry, or its successor organization, or has successfully completed the examination for bone densitometry equipment operators administered by the American Registry of Radiologic Technologists or its successor organization.

3. The holder of a limited license may perform radiologic imaging only within the scope of the limited license, as described in this subsection and the regulations adopted pursuant to





section 34 of this act, and under the supervision required by those regulations. The Division may issue a limited license in:

(a) Chest radiography, which authorizes the holder of the limited license to engage in radiography of the thorax, heart and lungs;

(b) Extremities radiography, which authorizes the holder of the limited license to engage in radiography of the upper and lower extremities, including the pelvic girdle;

(c) Spine and extremity radiography, which authorizes the holder of the limited license to engage in radiography of the vertebral column and the upper and lower extremities, including the pelvic girdle;

(d) Skull and sinus radiography, which authorizes the holder of the limited license to engage in radiography of the skull and face;

(e) Podiatric radiography, which authorizes the holder of the limited license to engage in radiography of the foot, ankle and lower leg below the knee;

(f) Bone densitometry, which authorizes the holder of the limited license to engage in the determination of bone mass by measuring the absorption of radiation in the bone; or

(g) Any combination thereof.

4. The holder of a limited license shall not perform procedures using contrast media, mammography, nuclear medicine or radiation therapy.

5. As used in this section:

(a) "Bone densitometry" means the quantitative assessment of bone mass using single or dual energy X-ray absorptiometry.

(b) "Radiography" has the meaning ascribed to it in NRS 457.182.

**Sec. 38. 1.** The Division may issue a license by endorsement to engage in radiation therapy and radiologic imaging or a limited license by endorsement to engage in radiologic imaging in accordance with the provisions of this section to an applicant who meets the requirements set forth in this section.

2. An applicant for a license by endorsement or a limited license by endorsement pursuant to this section must submit to the Division an application in the form prescribed by the Division and:

(a) Proof satisfactory to the Division that the applicant:

(1) If applying for a license to engage in radiation therapy and radiologic imaging, holds a valid and unrestricted license, certificate or other credential to engage in radiation therapy and radiologic imaging issued in any state of the United States, the





*District of Columbia, the Commonwealth of Puerto Rico or any other territory or possession of the United States;*

*(2) If applying for a limited license to engage in radiologic imaging, holds a valid and unrestricted license, certificate or other credential to engage in radiologic imaging issued in any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico or any other territory or possession of the United States;*

*(3) Is a citizen of the United States or otherwise has the legal right to work in the United States;*

*(4) Has not been disciplined or investigated by a regulatory authority of the state or territory in which the applicant holds or has held a license; and*

*(5) Has not ever been held civilly or criminally liable for malpractice related to his or her license;*

*(b) An affidavit stating that the information contained in the application and any accompanying material is true and correct; and*

*(c) Any other information required by the Division.*

*3. Not later than 15 business days after receiving an application for a license by endorsement to engage in radiation therapy and radiologic imaging or a limited license by endorsement to engage in radiologic imaging pursuant to this section, the Division shall provide written notice to the applicant if any additional information is required by the Division to consider the application. Unless the Division denies the application for good cause, the Division shall approve the application and issue a license by endorsement or limited license by endorsement, as applicable, to the applicant not later than 45 days after receiving the application.*

**Sec. 39. 1.** *The Division may issue a license by endorsement to engage in radiation therapy and radiologic imaging or a limited license by endorsement to engage in radiologic imaging in accordance with the provisions of this section to an applicant who meets the requirements set forth in this section.*

**2.** *An applicant for a license by endorsement pursuant to this section must submit to the Division with his or her application:*

*(a) Proof satisfactory to the Division that the applicant:*

*(1) If applying for a license to engage in radiation therapy and radiologic imaging, holds a valid and unrestricted license, certificate or other credential to engage in radiation therapy and radiologic imaging issued in any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico or any other territory or possession of the United States;*



(2) *If applying for a limited license to engage in radiologic imaging, holds a valid and unrestricted license, certificate or other credential to engage in radiologic imaging issued in any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico or any other territory or possession of the United States;*

(3) *Is an active member of, or the spouse of an active member of, the Armed Forces of the United States, a veteran or the surviving spouse of a veteran;*

(4) *Is a citizen of the United States or otherwise has the legal right to work in the United States;*

(5) *Has not been disciplined or investigated by a regulatory authority of the state or territory in which the applicant holds or has held a license; and*

(6) *Has not ever been held civilly or criminally liable for malpractice related to his or her license;*

(b) *An affidavit stating that the information contained in the application and any accompanying material is true and correct; and*

(c) *Any other information required by the Division.*

3. *Not later than 15 business days after receiving an application for a license by endorsement to engage in radiation therapy and radiologic imaging or a limited license by endorsement to engage in radiologic imaging pursuant to this section, the Division shall provide written notice to the applicant if any additional information is required by the Division to consider the application. Unless the Division denies the application for good cause, the Division shall approve the application and issue a license by endorsement or a limited license by endorsement, as applicable, to the applicant not later than 45 days after receiving all the additional information required by the Division to complete the application.*

4. *At any time before making a final decision, the Division may grant a provisional license authorizing an applicant to engage in radiation therapy and radiologic imaging or a provisional limited license authorizing an applicant to engage in radiologic imaging, as applicable, in accordance with regulations adopted by the Division.*

5. *As used in this section, "veteran" has the meaning ascribed to it in NRS 417.005.*

**Sec. 40. 1.** *In addition to any other requirements set forth in this chapter:*

(a) *An applicant for the issuance of a license, limited license or certificate shall include the social security number of the applicant in the application submitted to the Division.*



(b) An applicant for the issuance or renewal of a license, limited license or certificate shall submit to the Division the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to NRS 425.520. The statement must be completed and signed by the applicant.

2. The Division shall include the statement required pursuant to subsection 1 in:

(a) The application or any other forms that must be submitted for the issuance or renewal of the license, limited license or certificate; or

(b) A separate form prescribed by the Division.

3. A license, limited license or certificate may not be issued or renewed by the Division if the applicant:

(a) Fails to submit the statement required pursuant to subsection 1; or

(b) Indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.

4. If an applicant indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the Division shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage.

**Sec. 41. 1. The holder of a license may practice as a radiologist assistant if the holder is:**

(a) Certified by the American Registry of Radiologic Technologists, or its successor organization, to practice in the area of radiography and is registered as a radiologist assistant by that entity; or

(b) Certified by the Certification Board for Radiology Practitioner Assistants.

2. In addition to the duties that the holder of a license is authorized to perform by the regulations adopted pursuant to section 34 of this act, a radiologist assistant:

(a) May perform any duty relating to the care and management of patients, including, without limitation, radiologic



1 *imaging and interventional procedures guided by radiologic*  
2 *imaging, under the direct supervision of a radiologist.*

3 *(b) May provide initial observations concerning the images of*  
4 *a patient to a supervising physician who specializes in radiology.*

5 *(c) Shall not interpret images of a patient or otherwise engage*  
6 *in the practice of medicine, as defined in NRS 630.020.*

7 *3. A person who practices as a radiologist assistant without*  
8 *meeting the requirements of subsection 1 is guilty of a*  
9 *misdemeanor.*

10 **Sec. 42. 1.** *A person who does not meet the requirements of*  
11 *section 35 of this act may, without compensation, engage in*  
12 *radiation therapy or radiologic imaging under the direct*  
13 *supervision of a physician, dentist, chiropractor or podiatrist or a*  
14 *person who holds a license for the purpose of qualifying for any*  
15 *certification required to obtain a license or a limited license.*

16 *2. A holder of a license or limited license may engage in*  
17 *radiation therapy or radiologic imaging outside the scope of*  
18 *practice authorized for his or her license or limited license by the*  
19 *regulations adopted pursuant to section 34 of this act if:*

20 *(a) Necessary to qualify for certification by a national*  
21 *accrediting organization in that area; and*

22 *(b) The licensee registers with the Division before engaging in*  
23 *such activity.*

24 *3. The Division may issue a temporary student license to a*  
25 *person who is enrolled in a program to qualify for any*  
26 *certification that is required to obtain a license or limited license.*  
27 *A holder of a temporary student license may engage in any activity*  
28 *described in subsection 1 for compensation.*

29 *4. A temporary student license may not be renewed and*  
30 *expires on the earlier of:*

31 *(a) The date on which the holder of the temporary student*  
32 *license is issued a license or limited license by the Division;*

33 *(b) The date on which the application of the holder of the*  
34 *temporary student license for a license or limited license is denied*  
35 *by the Division; or*

36 *(c) One year after the date on which the holder of the*  
37 *temporary student license is initially employed to engage in*  
38 *radiation therapy or radiologic imaging.*

39 **Sec. 43.** *A person who performs radiation therapy, radiologic*  
40 *imaging, computed tomography or fluoroscopy as part of his or*  
41 *her employment on January 1, 2020, may continue to perform any*  
42 *such activity on and after that date without obtaining a license*  
43 *from the Division if he or she:*

44 *1. Registers with the Division in the form prescribed by the*  
45 *Division;*



2. *Provides any information requested by the Division;*
3. *Does not expand the scope of his or her duties relating to radiation therapy, radiologic imaging, computed tomography or fluoroscopy, as applicable; and*
4. *Completes any continuing education prescribed by regulation of the Board for the holder of a license or limited license, as applicable, who performs the same services as those performed by the person.*

**Sec. 44.** 1. *A person shall not perform computed tomography except as authorized by this section and section 43 of this act.*

2. *Except as otherwise provided in this section, a holder of a license may only perform computed tomography within his or her scope of practice, as authorized by the regulations adopted pursuant to section 34 of this act, if he or she is certified by:*

(a) *The American Registry of Radiologic Technologists, or its successor organization, to practice in the area of nuclear medicine technology or radiation therapy; or*

(b) *The Nuclear Medicine Technology Certification Board, or its successor organization, in nuclear medicine.*

3. *A holder of a license who is certified by the American Registry of Radiologic Technologists, or its successor organization, or the Nuclear Medicine Technology Certification Board, or its successor organization, in computed tomography may perform computed tomography.*

4. *A holder of a license who does not satisfy the requirements of subsection 2 or 3 may perform computed tomography if he or she:*

(a) *Performs computed tomography to qualify for certification by the American Registry of Radiologic Technologists, or its successor organization, or the Nuclear Medicine Technology Certification Board, or its successor organization, in computed tomography; and*

(b) *Registers with the Division before performing computed tomography.*

5. *A person who performs computed tomography in violation of this section is guilty of a misdemeanor.*

**Sec. 45.** 1. *A person shall not perform fluoroscopy except as authorized in this section and section 43 of this act.*

2. *A holder of a license may perform fluoroscopy only within the scope of his or her practice to the extent authorized by the regulations adopted pursuant to section 34 of this act.*

3. *A person who performs fluoroscopy in violation of this section is guilty of a misdemeanor.*



1     **Sec. 46. 1.** *A person shall not operate a radiation machine*  
2 *for mammography unless the person holds a certificate of*  
3 *authorization to operate such a radiation machine issued by the*  
4 *Division.*

5     2. *To obtain a certificate of authorization to operate a*  
6 *radiation machine for mammography, a person must:*

7     (a) *Submit an application to the Division on a form provided*  
8 *by the Division and provide any additional information required*  
9 *by the Division;*

10    (b) *Be certified by the American Registry of Radiologic*  
11 *Technologists or meet the standards established by the Board*  
12 *pursuant to paragraph (f) of subsection 1 of section 34 of this act;*

13    (c) *Hold a license or be exempt from the requirement to hold a*  
14 *license pursuant to section 43 of this act;*

15    (d) *Pass an examination if the Division determines that an*  
16 *examination for certification is necessary to protect the health and*  
17 *safety of the residents of this State; and*

18    (e) *Pay the fee required by the Division, which must be*  
19 *calculated to cover the administrative costs directly related to the*  
20 *process of issuing the certificates.*

21    3. *A certificate of authorization to operate a radiation*  
22 *machine for mammography expires 2 years after the date on*  
23 *which it was issued unless it is renewed before that date.*

24    4. *The Division shall require continuing education as a*  
25 *prerequisite to the renewal of a certificate and shall charge a fee*  
26 *for renewal in an amount calculated to cover the administrative*  
27 *costs directly related to the renewal of a certificate.*

28    5. *A person who is certified to operate a radiation machine*  
29 *for mammography pursuant to this section shall not operate such*  
30 *a machine without a valid certificate of authorization issued*  
31 *pursuant to NRS 457.184.*

32    6. *A person who violates the provisions of this section is*  
33 *guilty of a misdemeanor.*

34     **Sec. 47. 1.** *Except as otherwise provided in this section, any*  
35 *authorized representative of the Division may:*

36    (a) *Enter and inspect at any reasonable time any private or*  
37 *public property on which radiation therapy or radiologic imaging*  
38 *is conducted for the purpose of determining whether a violation of*  
39 *the provisions of this chapter or the regulations adopted pursuant*  
40 *thereto has occurred or is occurring. The owner, occupant or*  
41 *person responsible for such property shall permit such entry and*  
42 *inspection. An owner, occupant or person responsible for such*  
43 *property who fails to permit such entry and inspection is guilty of*  
44 *a misdemeanor.*



(b) Request any information necessary to ensure that any person who engages in radiation therapy or radiologic imaging meets any requirements specified by this chapter or section 56, 60 or 62 of this act, as applicable, concerning the radiation therapy or radiologic imaging in which the person engages.

2. An authorized representative of the Division may only enter an area that is subject to the jurisdiction of the Federal Government if the authorized representative obtains the consent of the Federal Government or its duly designated representative.

3. Any report of an investigation or inspection conducted pursuant to paragraph (a) of subsection 1 and any information requested pursuant to paragraph (b) of subsection 1 shall not be disclosed or made available for public inspection, except as otherwise provided in NRS 239.0115 or as may be necessary to carry out the responsibilities of the Division.

**Sec. 48.** 1. The Division may deny, suspend, revoke or refuse to renew a license, limited license or certificate issued pursuant to the provisions of this chapter, impose limitations on the practice of a holder of such a license, limited license or certificate or impose a civil penalty of up to \$1,000 per violation if a person:

(a) Obtains a license, limited license or certificate through fraud, misrepresentation or concealment of material facts;

(b) Engages in unprofessional conduct, as defined by the regulations adopted pursuant to section 34 of this act;

(c) Is convicted of a crime involving moral turpitude, as defined by the regulations adopted pursuant to section 34 of this act, or any crime which indicates that the person is unfit to engage in radiation therapy or radiologic imaging;

(d) Violates any provision of this chapter or any regulations adopted pursuant thereto;

(e) Is guilty of malpractice, gross negligence or incompetence while engaging in radiation therapy or radiologic imaging;

(f) Engages in conduct that could result in harm to a member of the public; or

(g) Has disciplinary action imposed in another jurisdiction against a license or certificate of the person that is equivalent to a license, limited license or certificate issued pursuant to this chapter.

2. The Division shall revoke a certificate if it finds that the holder violated the provisions of subsection 4 of section 46 of this act.

3. At least 2 years after the date on which the license, limited license or certificate of a person is revoked, the person may apply





1 *to the Division for reinstatement of the license, which is within the*  
2 *discretion of the Division.*

3 **Sec. 49. 1.** *The Division may, upon its own motion, and*  
4 *shall, upon the verified complaint in writing of any person setting*  
5 *forth facts which, if proven, would constitute grounds for*  
6 *initiating disciplinary action, investigate the actions of any person*  
7 *who engages in radiation therapy or radiologic imaging.*

8 2. *A person may file a complaint anonymously pursuant to*  
9 *subsection 1. The Division may refuse to consider such a*  
10 *complaint if anonymity of the complainant makes processing the*  
11 *complaint impossible or unfair to the person who is the subject of*  
12 *the complaint.*

13 3. *The Division shall retain all complaints received by the*  
14 *Division pursuant to this section for at least 10 years, including,*  
15 *without limitation, any complaints not acted upon by the Division.*

16 4. *Before initiating proceedings to impose disciplinary action,*  
17 *the Division shall notify the accused person in writing of the*  
18 *charges. Such notice may be served by personal delivery to the*  
19 *accused person or by mailing it by registered or certified mail to*  
20 *the place of business last specified as noted in the records of the*  
21 *Division.*

22 5. *In any proceeding to impose disciplinary action, the*  
23 *Division shall afford an opportunity for a hearing on the record*  
24 *upon the request of the accused person. The Division may compel*  
25 *the attendance of witnesses or the production of documents or*  
26 *objects by subpoena.*

27 6. *The Division shall render a written decision at the*  
28 *conclusion of each hearing, and the record and decision in each*  
29 *hearing must be made available for inspection by any interested*  
30 *person.*

31 7. *The Division may delegate to a hearing officer or panel its*  
32 *authority to take any disciplinary action pursuant to the provisions*  
33 *of this chapter. Any disciplinary action taken by the hearing*  
34 *officer or panel is subject to the same procedural requirements*  
35 *applicable to the Division pursuant to subsection 6, and the officer*  
36 *or panel has those powers and duties given to the Division in*  
37 *relation thereto.*

38 8. *A decision imposing disciplinary action pursuant to this*  
39 *section is a final decision for the purposes of judicial review.*

40 **Sec. 50. 1.** *If the Division receives a copy of a court order*  
41 *issued pursuant to NRS 425.540 that provides for the suspension*  
42 *of all professional, occupational and recreational licenses,*  
43 *certificates and permits issued to a person who is the holder of a*  
44 *license or limited license, the Division shall deem the license or*  
45 *limited license and any certificate issued to that person to be*





1 *suspended at the end of the 30th day after the date on which the*  
2 *court order was issued unless the Division receives a letter issued*  
3 *to the holder of the license or limited license by the district*  
4 *attorney or other public agency pursuant to NRS 425.550 stating*  
5 *that the holder of the license or limited license has complied with*  
6 *the subpoena or warrant or has satisfied the arrearage pursuant to*  
7 *NRS 425.560.*

8 2. *The Division shall reinstate a license, limited license or*  
9 *certificate that has been suspended by a district court pursuant to*  
10 *NRS 425.540 if the Division receives a letter issued by the district*  
11 *attorney or other public agency pursuant to NRS 425.550 to the*  
12 *person whose license, limited license or certificate was suspended*  
13 *stating that the person whose license, limited license or certificate*  
14 *was suspended has complied with the subpoena or warrant or has*  
15 *satisfied the arrearage pursuant to NRS 425.560.*

16 **Sec. 51.** 1. *The Division or the Attorney General may*  
17 *maintain in any court of competent jurisdiction a suit to enjoin*  
18 *any person from violating a provision of this chapter or any*  
19 *regulations adopted pursuant thereto.*

20 2. *Such an injunction:*

21 (a) *May be issued without proof of actual damage sustained by*  
22 *any person as a preventive or punitive measure.*

23 (b) *Does not relieve any person from any other legal action.*

24 **Sec. 52.** NRS 622.520 is hereby amended to read as follows:

25 622.520 1. A regulatory body that regulates a profession  
26 pursuant to chapters 630, 630A, 632 to 641C, inclusive, or 644A of  
27 NRS *or sections 22 to 51, inclusive, of this act* in this State may  
28 enter into a reciprocal agreement with the corresponding regulatory  
29 authority of the District of Columbia or any other state or territory  
30 of the United States for the purposes of:

31 (a) Authorizing a qualified person licensed in the profession in  
32 that state or territory to practice concurrently in this State and one or  
33 more other states or territories of the United States; and

34 (b) Regulating the practice of such a person.

35 2. A regulatory body may enter into a reciprocal agreement  
36 pursuant to subsection 1 only if the regulatory body determines that:

37 (a) The corresponding regulatory authority is authorized by law  
38 to enter into such an agreement with the regulatory body; and

39 (b) The applicable provisions of law governing the practice of  
40 the respective profession in the state or territory on whose behalf the  
41 corresponding regulatory authority would execute the reciprocal  
42 agreement are substantially similar to the corresponding provisions  
43 of law in this State.



3. A reciprocal agreement entered into pursuant to subsection 1 must not authorize a person to practice his or her profession concurrently in this State unless the person:

(a) Has an active license to practice his or her profession in another state or territory of the United States.

(b) Has been in practice for at least the 5 years immediately preceding the date on which the person submits an application for the issuance of a license pursuant to a reciprocal agreement entered into pursuant to subsection 1.

(c) Has not had his or her license suspended or revoked in any state or territory of the United States.

(d) Has not been refused a license to practice in any state or territory of the United States for any reason.

(e) Is not involved in and does not have pending any disciplinary action concerning his or her license or practice in any state or territory of the United States.

(f) Pays any applicable fees for the issuance of a license that are otherwise required for a person to obtain a license in this State.

(g) Submits to the applicable regulatory body the statement required by NRS 425.520.

4. If the regulatory body enters into a reciprocal agreement pursuant to subsection 1, the regulatory body must prepare an annual report before January 31 of each year outlining the progress of the regulatory body as it relates to the reciprocal agreement and submit the report to the Director of the Legislative Counsel Bureau for transmittal to the next session of the Legislature in odd-numbered years or to the Legislative Committee on Health Care in even-numbered years.

**Sec. 53.** NRS 630.275 is hereby amended to read as follows:

630.275 The Board shall adopt regulations regarding the licensure of a physician assistant, including, but not limited to:

1. The educational and other qualifications of applicants.

2. The required academic program for applicants.

3. The procedures for applications for and the issuance of licenses.

4. The procedures deemed necessary by the Board for applications for and the initial issuance of licenses by endorsement pursuant to NRS 630.2751 or 630.2752.

5. The tests or examinations of applicants by the Board.

6. The medical services which a physician assistant may perform, except that a physician assistant may not perform those specific functions and duties delegated or restricted by law to persons licensed as dentists, chiropractors, podiatric physicians and optometrists under chapters 631, 634, 635 and 636, respectively, of NRS, *persons who hold a license to engage in radiation therapy*



1 *and radiologic imaging or a limited license to engage in radiologic*  
2 *imaging pursuant to sections 22 to 51, inclusive, of this act* or  
3 *persons licensed* as hearing aid specialists.

4 7. The duration, renewal and termination of licenses, including  
5 licenses by endorsement.

6 8. The grounds and procedures respecting disciplinary actions  
7 against physician assistants.

8 9. The supervision of medical services of a physician assistant  
9 by a supervising physician, including, without limitation,  
10 supervision that is performed electronically, telephonically or by  
11 fiber optics from within or outside this State or the United States.

12 10. A physician assistant's use of equipment that transfers  
13 information concerning the medical condition of a patient in this  
14 State electronically, telephonically or by fiber optics, including,  
15 without limitation, through telehealth, from within or outside this  
16 State or the United States.

17 **Sec. 54.** NRS 630.279 is hereby amended to read as follows:

18 630.279 The Board shall adopt regulations regarding the  
19 licensure of practitioners of respiratory care, including, without  
20 limitation:

21 1. Educational and other qualifications of applicants;  
22 2. Required academic programs which applicants must  
23 successfully complete;

24 3. Procedures for applying for and issuing licenses;

25 4. Tests or examinations of applicants by the Board;

26 5. The types of medical services that a practitioner of  
27 respiratory care may perform, except that a practitioner of  
28 respiratory care may not perform those specific functions and duties  
29 delegated or otherwise restricted by specific statute to persons  
30 licensed as dentists, chiropractors, podiatric physicians,  
31 optometrists, physicians, osteopathic physicians or hearing aid  
32 specialists pursuant to this chapter or chapter 631, 633, 634, 635,  
33 636 or 637B of NRS, as appropriate ~~H~~, *or persons who hold a*  
34 *license to engage in radiation therapy and radiologic imaging or a*  
35 *limited license to engage in radiologic imaging pursuant to*  
36 *sections 22 to 51, inclusive, of this act;*

37 6. The duration, renewal and termination of licenses; and

38 7. The grounds and procedures for disciplinary actions against  
39 practitioners of respiratory care.

40 **Sec. 55.** NRS 630A.299 is hereby amended to read as follows:

41 630A.299 The Board shall adopt regulations regarding the  
42 certification of a homeopathic assistant, including, but not limited  
43 to:

44 1. The educational and other qualifications of applicants.

45 2. The required academic program for applicants.



3. The procedures for applications for and the issuance of certificates.

4. The tests or examinations of applicants by the Board.

5. The medical services which a homeopathic assistant may perform, except that a homeopathic assistant may not perform those specific functions and duties delegated or restricted by law to persons licensed as dentists, chiropractors, podiatric physicians, optometrists or hearing aid specialists under chapter 631, 634, 635, 636 or 637B, respectively, of NRS ~~H~~ *or persons licensed to engage in radiation therapy or radiologic imaging pursuant to sections 22 to 51, inclusive, of this act.*

6. The duration, renewal and termination of certificates.

7. The grounds respecting disciplinary actions against homeopathic assistants.

8. The supervision of a homeopathic assistant by a supervising homeopathic physician.

9. The establishment of requirements for the continuing education of homeopathic assistants.

**Sec. 56.** Chapter 631 of NRS is hereby amended by adding thereto a new section to read as follows:

*1. Except as authorized by this section, a dental hygienist, dental assistant or qualified technician shall not engage in radiation therapy or radiologic imaging unless he or she has obtained a license or limited license pursuant to sections 22 to 51, inclusive, of this act.*

*2. A dental hygienist, dental assistant or qualified technician may make radiograms or X-ray exposures or use X-ray radiation:*

*(a) Only for dental treatment or dental diagnostic purposes and upon the direction of a dentist; and*

*(b) Except as otherwise provided in subsection 3, if he or she has successfully completed the training prescribed by the Board pursuant to subsection 4.*

*3. A dental hygienist, dental assistant or qualified technician who has not successfully completed the training prescribed by the Board pursuant to subsection 4 may, as part of that training, make radiograms or X-ray exposures or use X-ray radiation under the direct supervision and upon the direction of a dentist.*

*4. The Board shall adopt regulations prescribing training that a dental hygienist, dental assistant or qualified technician must receive before making radiograms or X-ray exposures or using X-ray radiation.*

*5. As used in this section:*

*(a) "Radiation therapy" has the meaning ascribed to it in section 29 of this act.*



*(b) "Radiologic imaging" has the meaning ascribed to it in section 30 of this act.*

**Sec. 57.** NRS 631.215 is hereby amended to read as follows:

631.215 1. Any person shall be deemed to be practicing dentistry who:

(a) Uses words or any letters or title in connection with his or her name which in any way represents the person as engaged in the practice of dentistry, or any branch thereof;

(b) Advertises or permits to be advertised by any medium that the person can or will attempt to perform dental operations of any kind;

(c) Evaluates or diagnoses, professes to evaluate or diagnose or treats or professes to treat, surgically or nonsurgically, any of the diseases, disorders, conditions or lesions of the oral cavity, maxillofacial area or the adjacent and associated structures and their impact on the human body;

(d) Extracts teeth;

(e) Corrects malpositions of the teeth or jaws;

(f) Takes impressions of the teeth, mouth or gums, unless the person is authorized by the regulations of the Board to engage in such activities without being a licensed dentist;

(g) Examines a person for, or supplies artificial teeth as substitutes for natural teeth;

(h) Places in the mouth and adjusts or alters artificial teeth;

(i) Does any practice included in the clinical dental curricula of accredited dental colleges or a residency program for those colleges;

(j) Administers or prescribes such remedies, medicinal or otherwise, as are needed in the treatment of dental or oral diseases;

(k) Uses X-ray radiation or laser radiation for dental treatment or dental diagnostic purposes, unless the person is authorized by ~~the regulations of the Board~~ *section 56 of this act* to engage in such activities without being a licensed dentist;

(l) Determines:

(1) Whether a particular treatment is necessary or advisable;  
or

(2) Which particular treatment is necessary or advisable; or

(m) Dispenses tooth whitening agents or undertakes to whiten or bleach teeth by any means or method, unless the person is:

(1) Dispensing or using a product that may be purchased over the counter for a person's own use; or

(2) Authorized by the regulations of the Board to engage in such activities without being a licensed dentist.

2. Nothing in this section:

(a) Prevents a dental assistant, dental hygienist or qualified technician from ~~making~~ :



(1) *Making* radiograms or X-ray exposures or using X-ray radiation *if authorized by section 56 of this act*; or

(2) *Using* laser radiation for dental treatment or dental diagnostic purposes upon the direction of a licensed dentist.

(b) Prohibits the performance of mechanical work, on inanimate objects only, by any person employed in or operating a dental laboratory upon the written work authorization of a licensed dentist.

(c) Prevents students from performing dental procedures that are part of the curricula of an accredited dental school or college or an accredited school of dental hygiene or an accredited school of dental assisting.

(d) Prevents a licensed dentist or dental hygienist from another state or country from appearing as a clinician for demonstrating certain methods of technical procedures before a dental society or organization, convention or dental college or an accredited school of dental hygiene or an accredited school of dental assisting.

(e) Prohibits the manufacturing of artificial teeth upon receipt of a written authorization from a licensed dentist if the manufacturing does not require direct contact with the patient.

(f) Prohibits the following entities from owning or operating a dental office or clinic if the entity complies with the provisions of NRS 631.3452:

(1) A nonprofit corporation organized pursuant to the provisions of chapter 82 of NRS to provide dental services to rural areas and medically underserved populations of migrant or homeless persons or persons in rural communities pursuant to the provisions of 42 U.S.C. § 254b or 254c.

(2) A federally-qualified health center as defined in 42 U.S.C. § 1396d(l)(2)(B) operating in compliance with other applicable state and federal law.

(3) A nonprofit charitable corporation as described in section 501(c)(3) of the Internal Revenue Code and determined by the Board to be providing dental services by volunteer licensed dentists at no charge or at a substantially reduced charge to populations with limited access to dental care.

(g) Prevents a person who is actively licensed as a dentist in another jurisdiction from treating a patient if:

(1) The patient has previously been treated by the dentist in the jurisdiction in which the dentist is licensed;

(2) The dentist treats the patient only during a course of continuing education involving live patients which:

(I) Is conducted at an institute or organization with a permanent facility registered with the Board for the sole purpose of providing postgraduate continuing education in dentistry; and



(II) Meets all applicable requirements for approval as a course of continuing education; and

(3) The dentist treats the patient only under the supervision of a person licensed pursuant to NRS 631.2715.

(h) Prohibits a person from providing goods or services for the support of the business of a dental practice, office or clinic owned or operated by a licensed dentist or any entity not prohibited from owning or operating a dental practice, office or clinic if the person does not:

(1) Provide such goods or services in exchange for payments based on a percentage or share of revenues or profits of the dental practice, office or clinic; or

(2) Exercise any authority or control over the clinical practice of dentistry.

3. The Board shall adopt regulations identifying activities that constitute the exercise of authority or control over the clinical practice of dentistry, including, without limitation, activities which:

(a) Exert authority or control over the clinical judgment of a licensed dentist; or

(b) Relieve a licensed dentist of responsibility for the clinical aspects of the dental practice.

➤ Such regulations must not prohibit or regulate aspects of the business relationship, other than the clinical practice of dentistry, between a licensed dentist or professional entity organized pursuant to the provisions of chapter 89 of NRS and the person or entity providing goods or services for the support of the business of a dental practice, office or clinic owned or operated by the licensed dentist or professional entity.

**Sec. 58.** NRS 632.472 is hereby amended to read as follows:

632.472 1. The following persons shall report in writing to the Executive Director of the Board any conduct of a licensee or holder of a certificate which constitutes a violation of the provisions of this chapter:

(a) Any physician, dentist, dental hygienist, chiropractor, optometrist, podiatric physician, medical examiner, resident, intern, professional or practical nurse, nursing assistant, medication aide - certified, perfusionist, physician assistant licensed pursuant to chapter 630 or 633 of NRS, psychiatrist, psychologist, marriage and family therapist, clinical professional counselor, alcohol or drug abuse counselor, music therapist, *holder of a license or limited license issued pursuant to sections 22 to 51, inclusive, of this act*, driver of an ambulance, paramedic or other person providing medical services licensed or certified to practice in this State.

(b) Any personnel of a medical facility or facility for the dependent engaged in the admission, examination, care or treatment



1 of persons or an administrator, manager or other person in charge of  
2 a medical facility or facility for the dependent upon notification by a  
3 member of the staff of the facility.

4 (c) A coroner.

5 (d) Any person who maintains or is employed by an agency to  
6 provide personal care services in the home.

7 (e) Any person who operates, who is employed by or who  
8 contracts to provide services for an intermediary service  
9 organization as defined in NRS 449.4304.

10 (f) Any person who maintains or is employed by an agency to  
11 provide nursing in the home.

12 (g) Any employee of the Department of Health and Human  
13 Services.

14 (h) Any employee of a law enforcement agency or a county's  
15 office for protective services or an adult or juvenile probation  
16 officer.

17 (i) Any person who maintains or is employed by a facility or  
18 establishment that provides care for older persons.

19 (j) Any person who maintains, is employed by or serves as a  
20 volunteer for an agency or service which advises persons regarding  
21 the abuse, neglect or exploitation of an older person and refers them  
22 to persons and agencies where their requests and needs can be met.

23 (k) Any social worker.

24 (l) Any person who operates or is employed by a community  
25 health worker pool or with whom a community health worker pool  
26 contracts to provide the services of a community health worker, as  
27 defined in NRS 449.0027.

28 (m) Any person who operates or is employed by a peer support  
29 recovery organization.

30 2. Every physician who, as a member of the staff of a medical  
31 facility or facility for the dependent, has reason to believe that a  
32 nursing assistant or medication aide - certified has engaged in  
33 conduct which constitutes grounds for the denial, suspension or  
34 revocation of a certificate shall notify the superintendent, manager  
35 or other person in charge of the facility. The superintendent,  
36 manager or other person in charge shall make a report as required in  
37 subsection 1.

38 3. A report may be filed by any other person.

39 4. Any person who in good faith reports any violation of the  
40 provisions of this chapter to the Executive Director of the Board  
41 pursuant to this section is immune from civil liability for reporting  
42 the violation.

43 5. As used in this section:

44 (a) "Agency to provide personal care services in the home" has  
45 the meaning ascribed to it in NRS 449.0021.



\* S B 1 3 0 \*



(b) "Community health worker pool" has the meaning ascribed to it in NRS 449.0028.

(c) "Peer support recovery organization" has the meaning ascribed to it in NRS 449.01563.

**Sec. 59.** NRS 633.434 is hereby amended to read as follows:

633.434 The Board shall adopt regulations regarding the licensure of a physician assistant, including, without limitation:

1. The educational and other qualifications of applicants.

2. The required academic program for applicants.

3. The procedures for applications for and the issuance of licenses.

4. The procedures deemed necessary by the Board for applications for and the issuance of initial licenses by endorsement pursuant to NRS 633.4335 and 633.4336.

5. The tests or examinations of applicants by the Board.

6. The medical services which a physician assistant may perform, except that a physician assistant may not perform osteopathic manipulative therapy or those specific functions and duties delegated or restricted by law to persons licensed as dentists, chiropractors, doctors of Oriental medicine, podiatric physicians, optometrists and hearing aid specialists under chapters 631, 634, 634A, 635, 636 and 637B, respectively, of NRS ~~4~~ *or persons who hold a license to engage in radiation therapy and radiologic imaging or a limited license to engage in radiologic imaging pursuant to sections 22 to 51, inclusive, of this act.*

7. The grounds and procedures respecting disciplinary actions against physician assistants.

8. The supervision of medical services of a physician assistant by a supervising osteopathic physician.

**Sec. 60.** Chapter 634 of NRS is hereby amended by adding thereto a new section to read as follows:

*1. Except as authorized by this section, a chiropractor's assistant or participant in the preceptor program shall not engage in radiation therapy or radiologic imaging unless he or she has obtained a license or limited license pursuant to sections 22 to 51, inclusive, of this act.*

*2. A chiropractor's assistant or participant in the preceptor program may perform radiography only:*

*(a) Within the practice of chiropractic; and*

*(b) Except as otherwise provided in subsection 3, if he or she has successfully completed the training prescribed by the Board pursuant to subsection 4.*

*3. A chiropractor's assistant or participant in the preceptor program who has not successfully completed the training prescribed by the Board pursuant to subsection 4 may, as part of*



1 *that training, perform radiography under the direct supervision of*  
2 *a chiropractor who has successfully completed that training.*

3 4. *The Board shall adopt regulations prescribing training*  
4 *that a chiropractor's assistant or participant in the preceptor*  
5 *program must receive before performing radiography.*

6 5. *As used in this section:*

7 (a) *"Preceptor program" means the preceptor program*  
8 *established pursuant to NRS 634.137.*

9 (b) *"Radiation therapy" has the meaning ascribed to it in*  
10 *section 29 of this act.*

11 (c) *"Radiography" has the meaning ascribed to it in*  
12 *NRS 457.182.*

13 (d) *"Radiologic imaging" has the meaning ascribed to it in*  
14 *section 30 of this act.*

15 **Sec. 61.** NRS 634.1375 is hereby amended to read as follows:

16 634.1375 1. A student who wishes to participate in the  
17 preceptor program established by the Board pursuant to NRS  
18 634.137 must:

19 (a) File with the Board an application in the form required by  
20 the Board;

21 (b) Pay the fee for filing an application required by  
22 NRS 634.135;

23 (c) Be enrolled in his or her final academic year at a college of  
24 chiropractic that meets the criteria established in paragraph (b) of  
25 subsection 1 of NRS 634.090;

26 (d) Have completed all clinical work required by the Board;

27 (e) Enter into a preceptor agreement with a chiropractor who is  
28 approved by the Board to act as a preceptor pursuant to NRS  
29 634.1379; and

30 (f) Comply with any other requirements prescribed by the  
31 Board.

32 2. The Board may approve or deny an application for a student  
33 who wishes to participate in the preceptor program and shall provide  
34 notice to the student of its decision.

35 3. A student who is approved to participate in the preceptor  
36 program:

37 (a) May perform chiropractic, including, without limitation,  
38 chiropractic adjustment or manipulation ~~and~~ *and, if authorized by*  
39 *section 60 of this act, radiography*, under the direct supervision of a  
40 chiropractor who is approved to act as a preceptor pursuant to  
41 NRS 634.1379.

42 (b) Shall not perform chiropractic as a participant in the  
43 preceptor program for more than 1 year.



**Sec. 62.** Chapter 635 of NRS is hereby amended by adding thereto a new section to read as follows:

*1. Except as authorized by this section, a podiatry hygienist shall not engage in radiation therapy or radiologic imaging unless he or she has obtained a license or limited license pursuant to sections 22 to 51, inclusive, of this act.*

*2. A podiatry hygienist may take and develop X-rays only:*

*(a) Within the practice of podiatry and under the direction of a podiatric physician; and*

*(b) Except as otherwise provided in subsection 3, if he or she has successfully completed the training prescribed by the Board pursuant to subsection 4.*

*3. A podiatry hygienist who has not successfully completed the training prescribed by the Board pursuant to subsection 4 may, as part of that training, take and develop X-rays under the direct supervision of a podiatric physician.*

*4. The Board shall adopt regulations prescribing training that a podiatry hygienist must receive before taking and developing X-rays.*

*5. As used in this section:*

*(a) "Radiation therapy" has the meaning ascribed to it in section 29 of this act.*

*(b) "Radiologic imaging" has the meaning ascribed to it in section 30 of this act.*

**Sec. 63.** NRS 635.098 is hereby amended to read as follows:

635.098 1. Any podiatry hygienist in the employ and under the direction of a podiatric physician may:

(a) Apply orthopedic padding.

(b) Administer to patients by means of physiotherapeutic equipment.

(c) Make up surgical packs.

(d) Strap and cast for orthopedic appliances.

(e) Take and develop X-rays ~~H~~, *if authorized by section 62 of this act.*

(f) Assist in foot surgery.

(g) Administer oral medications.

2. The Board may require that every podiatry hygienist have a general knowledge of sterile techniques, aseptic maintenance of surgery rooms, emergency treatments, podiatric nomenclature and podiatric surgical procedure.

**Sec. 64.** NRS 637B.080 is hereby amended to read as follows:

637B.080 The provisions of this chapter do not apply to any person who:

1. Holds a current credential issued by the Department of Education pursuant to chapter 391 of NRS and any regulations



1 adopted pursuant thereto and engages in the practice of audiology or  
2 speech-language pathology within the scope of that credential;

3 2. Is employed by the Federal Government and engages in the  
4 practice of audiology or speech-language pathology within the  
5 scope of that employment;

6 3. Is a student enrolled in a program or school approved by the  
7 Board, is pursuing a degree in audiology or speech-language  
8 pathology and is clearly designated to the public as a student; or

9 4. Holds a current license issued pursuant to chapters 630 to  
10 637, inclusive, or 640 to 641C, inclusive, of NRS ~~§~~ *or sections 22*  
11 *to 51, inclusive, of this act,*

12 ➤ and who does not engage in the private practice of audiology or  
13 speech-language pathology in this State.

14 **Sec. 65.** NRS 639.100 is hereby amended to read as follows:

15 639.100 1. Except as otherwise provided in this chapter, it is  
16 unlawful for any person to manufacture, engage in wholesale  
17 distribution, compound, sell or dispense, or permit to be  
18 manufactured, distributed at wholesale, compounded, sold or  
19 dispensed, any drug, poison, medicine or chemical, or to dispense or  
20 compound, or permit to be dispensed or compounded, any  
21 prescription of a practitioner, unless the person:

22 (a) Is a prescribing practitioner, a person licensed to engage in  
23 wholesale distribution, ~~[a technologist in radiology or nuclear~~  
24 ~~medicine]~~ *a person licensed pursuant to sections 22 to 51,*  
25 *inclusive, of this act* under the supervision of the prescribing  
26 practitioner, a registered pharmacist, or a registered nurse certified  
27 in oncology under the supervision of the prescribing practitioner;  
28 and

29 (b) Complies with the regulations adopted by the Board.

30 2. A person who violates any provision of subsection 1:

31 (a) If no substantial bodily harm results, is guilty of a category  
32 D felony; or

33 (b) If substantial bodily harm results, is guilty of a category C  
34 felony,

35 ➤ and shall be punished as provided in NRS 193.130.

36 3. Sales representatives, manufacturers or wholesalers selling  
37 only in wholesale lots and not to the general public and  
38 compounders or sellers of medical gases need not be registered  
39 pharmacists. A person shall not act as a manufacturer or wholesaler  
40 unless the person has obtained a license from the Board.

41 4. Any nonprofit cooperative organization or any manufacturer  
42 or wholesaler who furnishes, sells, offers to sell or delivers a  
43 controlled substance which is intended, designed and labeled "For  
44 Veterinary Use Only" is subject to the provisions of this chapter,  
45 and shall not furnish, sell or offer to sell such a substance until the



organization, manufacturer or wholesaler has obtained a license from the Board.

5. Each application for such a license must be made on a form furnished by the Board and an application must not be considered by the Board until all the information required thereon has been completed. Upon approval of the application by the Board and the payment of the required fee, the Board shall issue a license to the applicant. Each license must be issued to a specific person for a specific location.

6. The Board shall not condition, limit, restrict or otherwise deny to a prescribing practitioner the issuance of a certificate, license, registration, permit or authorization to prescribe controlled substances or dangerous drugs because the practitioner is located outside this State.

**Sec. 66.** NRS 644A.880 is hereby amended to read as follows:

644A.880 1. If the Board determines that a complaint filed with the Board concerns a matter within the jurisdiction of another licensing board, the Board shall refer the complaint to the other licensing board within 5 days after making the determination.

2. The Board may refer a complaint pursuant to subsection 1 orally, electronically or in writing.

3. The provisions of subsection 1 apply to any complaint filed with the Board, including, without limitation:

(a) A complaint which concerns a person who or entity which is licensed, certified or otherwise regulated by the Board or by another licensing board; and

(b) A complaint which concerns a person who or entity which is licensed, certified or otherwise regulated solely by another licensing board.

4. The provisions of this section do not prevent the Board from acting upon a complaint which concerns a matter within the jurisdiction of the Board regardless of whether the Board refers the complaint pursuant to subsection 1.

5. The Board or an officer or employee of the Board is immune from any civil liability for any decision or action taken in good faith and without malicious intent in carrying out the provisions of this section.

6. As used in this section, "licensing board" means ~~the~~:

(a) A board created pursuant to chapter 630, 630A, 631, 632, 633, 634, 634A, 635, 636, 637, 637B, 639, 640, 640A, 640B, 640C, 640D, 640E, 641, 641A, 641B, 641C, 643, 644A or 654 of NRS ~~the~~; and

(b) *The Division of Public and Behavioral Health of the Department of Health and Human Services.*



**Sec. 67.** NRS 654.185 is hereby amended to read as follows:

654.185 1. If the Board determines that a complaint filed with the Board concerns a matter within the jurisdiction of another licensing board, the Board shall refer the complaint to the other licensing board within 5 days after making the determination.

2. The Board may refer a complaint pursuant to subsection 1 orally, electronically or in writing.

3. The provisions of subsection 1 apply to any complaint filed with the Board, including, without limitation:

(a) A complaint which concerns a person who or entity which is licensed, certified or otherwise regulated by the Board or by another licensing board; and

(b) A complaint which concerns a person who or entity which is licensed, certified or otherwise regulated solely by another licensing board.

4. The provisions of this section do not prevent the Board from acting upon a complaint which concerns a matter within the jurisdiction of the Board regardless of whether the Board refers the complaint pursuant to subsection 1.

5. The Board or an officer or employee of the Board is immune from any civil liability for any decision or action taken in good faith and without malicious intent in carrying out the provisions in this section.

6. As used in this section, "licensing board" means ~~the~~:

(a) A board created pursuant to chapter 630, 630A, 631, 632, 633, 634, 634A, 635, 636, 637, 637B, 639, 640, 640A, 640B, 640C, 640D, 640E, 641, 641A, 641B, 641C, 643, 644A or 654 of NRS ~~the~~; and

(b) *The Division of Public and Behavioral Health of the Department of Health and Human Services.*

**Sec. 68.** NRS 679B.440 is hereby amended to read as follows:

679B.440 1. The Commissioner may require that reports submitted pursuant to NRS 679B.430 include, without limitation, information regarding:

(a) Liability insurance provided to:

(1) Governmental agencies and political subdivisions of this State, reported separately for:

(I) Cities and towns;

(II) School districts; and

(III) Other political subdivisions;

(2) Public officers;

(3) Establishments where alcoholic beverages are sold;

(4) Facilities for the care of children;

(5) Labor, fraternal or religious organizations; and



(6) Officers or directors of organizations formed pursuant to title 7 of NRS, reported separately for nonprofit entities and entities organized for profit;

(b) Liability insurance for:

(1) Defective products;

(2) Medical or dental malpractice of:

(I) A practitioner licensed pursuant to chapter 630, 630A, 631, 632, 633, 634, 634A, 635, 636, 637, 637B, 639 or 640 of NRS ***or who holds a license or limited license issued pursuant to sections 22 to 51, inclusive, of this act;***

(II) A hospital or other health care facility; or

(III) Any related corporate entity ***or***;

(3) Malpractice of attorneys;

(4) Malpractice of architects and engineers; and

(5) Errors and omissions by other professionally qualified persons;

(c) Vehicle insurance, reported separately for:

(1) Private vehicles;

(2) Commercial vehicles;

(3) Liability insurance; and

(4) Insurance for property damage;

(d) Workers' compensation insurance; and

(e) In addition to any information provided pursuant to subparagraph (2) of paragraph (b) or NRS 690B.260, a policy of insurance for medical malpractice. As used in this paragraph, "policy of insurance for medical malpractice" has the meaning ascribed to it in NRS 679B.144.

2. The Commissioner may require that the report include, without limitation, information specifically pertaining to this State or to an insurer in its entirety, in the aggregate or by type of insurance, and for a previous or current year, regarding:

(a) Premiums directly written;

(b) Premiums directly earned;

(c) Number of policies issued;

(d) Net investment income, using appropriate estimates when necessary;

(e) Losses paid;

(f) Losses incurred;

(g) Loss reserves, including:

(1) Losses unpaid on reported claims; and

(2) Losses unpaid on incurred but not reported claims;

(h) Number of claims, including:

(1) Claims paid; and

(2) Claims that have arisen but are unpaid;





(i) Expenses for adjustment of losses, including allocated and unallocated losses;

(j) Net underwriting gain or loss;

(k) Net operation gain or loss, including net investment income; and

(l) Any other information requested by the Commissioner.

3. The Commissioner may also obtain, based upon an insurer in its entirety, information regarding:

(a) Recoverable federal income tax;

(b) Net unrealized capital gain or loss; and

(c) All other expenses not included in subsection 2.

**Sec. 69.** NRS 686A.2825 is hereby amended to read as follows:

686A.2825 "Practitioner" means:

1. A physician, dentist, nurse, dispensing optician, optometrist, physical therapist, podiatric physician, psychologist, chiropractor, doctor of Oriental medicine in any form, director or technician of a medical laboratory, pharmacist, *person who holds a license to engage in radiation therapy and radiologic imaging or a limited license to engage in radiologic imaging pursuant to sections 22 to 51, inclusive, of this act* or other provider of health services who is authorized to engage in his or her occupation by the laws of this state or another state; and

2. An attorney admitted to practice law in this state or any other state.

**Sec. 70.** NRS 686B.030 is hereby amended to read as follows:

686B.030 1. Except as otherwise provided in subsection 2 and NRS 686B.125, the provisions of NRS 686B.010 to 686B.1799, inclusive, apply to all kinds and lines of direct insurance written on risks or operations in this State by any insurer authorized to do business in this State, except:

(a) Ocean marine insurance;

(b) Contracts issued by fraternal benefit societies;

(c) Life insurance and credit life insurance;

(d) Variable and fixed annuities;

(e) Credit accident and health insurance;

(f) Property insurance for business and commercial risks;

(g) Casualty insurance for business and commercial risks other than insurance covering the liability of a practitioner licensed pursuant to chapters 630 to 640, inclusive, of NRS ~~or~~ *or who holds a license or limited license issued pursuant to sections 22 to 51, inclusive, of this act;*

(h) Surety insurance;

(i) Health insurance offered through a group health plan maintained by a large employer; and





(j) Credit involuntary unemployment insurance.

2. The exclusions set forth in paragraphs (f) and (g) of subsection 1 extend only to issues related to the determination or approval of premium rates.

**Sec. 71.** NRS 690B.250 is hereby amended to read as follows:

690B.250 Except as more is required in NRS 630.3067 and 633.526:

1. Each insurer which issues a policy of insurance covering the liability of a practitioner licensed pursuant to chapters 630 to 640, inclusive, of NRS *or who holds a license or limited license issued pursuant to sections 22 to 51, inclusive, of this act* for a breach of his or her professional duty toward a patient shall report to the board which licensed the practitioner within 45 days each settlement or award made or judgment rendered by reason of a claim, if the settlement, award or judgment is for more than \$5,000, giving the name of the claimant and the practitioner and the circumstances of the case.

2. A practitioner licensed pursuant to chapters 630 to 640, inclusive, of NRS *or who holds a license or limited license issued pursuant to sections 22 to 51, inclusive, of this act* who does not have insurance covering liability for a breach of his or her professional duty toward a patient shall report to the board which issued the practitioner's license within 45 days of each settlement or award made or judgment rendered by reason of a claim, if the settlement, award or judgment is for more than \$5,000, giving the practitioner's name, the name of the claimant and the circumstances of the case.

3. These reports are public records and must be made available for public inspection within a reasonable time after they are received by the licensing board.

**Sec. 72.** NRS 690B.320 is hereby amended to read as follows:

690B.320 1. If an insurer offers to issue a claims-made policy to a practitioner licensed pursuant to chapters 630 to 640, inclusive, of NRS, *or who holds a license or limited license issued pursuant to sections 22 to 51, inclusive, of this act*, the insurer shall:

(a) Offer to issue to the practitioner an extended reporting endorsement without a time limitation for reporting a claim.

(b) Disclose to the practitioner the premium for the extended reporting endorsement and the cost formula that the insurer uses to determine the premium for the extended reporting endorsement.

(c) Disclose to the practitioner the portion of the premium attributable to funding the extended reporting endorsement offered at no additional cost to the practitioner in the event of the



practitioner's death, disability or retirement, if such a benefit is offered.

(d) Disclose to the practitioner the vesting requirements for the extended reporting endorsement offered at no additional cost to the practitioner in the event of the practitioner's death or retirement, if such a benefit is offered. If such a benefit is not offered, the absence of such a benefit must be disclosed.

(e) Include, as part of the insurance contract, language which must be approved by the Commissioner and which must be substantially similar to the following:

If we adopt any revision that would broaden the coverage under this policy without any additional premium either within the policy period or within 60 days before the policy period, the broadened coverage will immediately apply to this policy.

2. The disclosures required by subsection 1 must be made as part of the offer and acceptance at the inception of the policy and again at each renewal in the form of an endorsement attached to the insurance contract and approved by the Commissioner.

3. The requirements set forth in this section are in addition to the requirements set forth in NRS 690B.290.

**Sec. 73.** Section 40 of this act is hereby amended to read as follows:

Sec. 40. 1. In addition to any other requirements set forth in this chapter ~~f~~:

~~—(a) An applicant for the issuance of a license, limited license or certificate shall include the social security number of the applicant in the application submitted to the Division.~~

~~—(b) An~~ *an* applicant for the issuance or renewal of a license, limited license or certificate shall submit to the Division the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to NRS 425.520. The statement must be completed and signed by the applicant.

2. The Division shall include the statement required pursuant to subsection 1 in:

(a) The application or any other forms that must be submitted for the issuance or renewal of the license, limited license or certificate; or

(b) A separate form prescribed by the Division.

3. A license, limited license or certificate may not be issued or renewed by the Division if the applicant:



(a) Fails to submit the statement required pursuant to subsection 1; or

(b) Indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.

4. If an applicant indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the Division shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage.

**Sec. 74.** As soon as practicable after the effective date of this act, the Governor shall appoint to the Radiation Therapy and Radiologic Imaging Advisory Committee created by section 33 of this act:

1. One member pursuant to paragraph (g) of subsection 2 of section 33 of this act to an initial term commencing on July 1, 2019, and expiring on June 30, 2020.

2. One member each pursuant to paragraphs (d), (e) and (f) of subsection 2 of section 33 of this act to initial terms commencing on July 1, 2019, and expiring on June 30, 2021.

3. One member each pursuant to paragraphs (a), (b) and (c) of subsection 2 of section 33 of this act to initial terms commencing on July 1, 2019, and expiring on June 30, 2022.

**Sec. 75.** 1. If the Board of Dental Examiners of Nevada or the Chiropractic Physicians' Board of Nevada has adopted regulations that satisfy the requirements of section 56 or 60 of this act, as applicable, before January 1, 2020, those regulations continue in effect and the respective board shall be deemed to be in compliance with the applicable section.

2. Notwithstanding the amendatory provisions of this act:

(a) A certificate to operate a radiation machine for mammography issued pursuant to NRS 457.183 remains valid until the date of its expiration, if the holder of the certificate otherwise remains qualified for the issuance or renewal of the certificate.

(b) Any regulations adopted by the State Board of Health pursuant to NRS 457.065 prescribing standards for the training and performance of a person who operates a radiation machine for mammography remain in effect and may be enforced by the



1 Division of Public and Behavioral Health of the Department of  
2 Health and Human Services as if those regulations were adopted  
3 pursuant to section 34 of this act.

4 **Sec. 76.** NRS 457.183, 457.1833, 457.1837 and 457.1853 are  
5 hereby repealed.

6 **Sec. 77.** 1. This section and sections 1, 21, 74 and 75 of this  
7 act become effective upon passage and approval.

8 2. Sections 2 to 20, inclusive, 22 to 72, inclusive, and 76 of this  
9 act become effective upon passage and approval for the purpose of  
10 adopting regulations and performing any other administrative tasks  
11 that are necessary to carry out the provisions of this act and on  
12 January 1, 2020, for all other purposes.

13 3. Section 73 of this act becomes effective on the date on  
14 which the provisions of 42 U.S.C. § 666 requiring each state to  
15 establish procedures under which the state has authority to withhold  
16 or suspend, or to restrict the use of professional, occupational and  
17 recreational licenses of persons who:

18 (a) Have failed to comply with a subpoena or warrant relating to  
19 a proceeding to determine the paternity of a child or to establish or  
20 enforce an obligation for the support of a child; or

21 (b) Are in arrears in the payment for the support of one or more  
22 children,

23 ➤ are repealed by the Congress of the United States.

24 4. Sections 50 and 73 of this act expire by limitation 2 years  
25 after the date on which the provisions of 42 U.S.C. § 666 requiring  
26 each state to establish procedures under which the state has  
27 authority to withhold or suspend, or to restrict the use of  
28 professional, occupational and recreational licenses of persons who:

29 (a) Have failed to comply with a subpoena or warrant relating to  
30 a proceeding to determine the paternity of a child or to establish or  
31 enforce an obligation for the support of a child; or

32 (b) Are in arrears in the payment for the support of one or more  
33 children,

34 ➤ are repealed by the Congress of the United States.

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## TEXT OF REPEALED SECTIONS

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**457.183 Requirements for operation of radiation machine  
for mammography; qualifications for certificate of  
authorization; expiration of certificate; requirements for  
continuing education; fee for renewal.**



\* S B 1 3 0 \*

1. A person shall not operate a radiation machine for mammography unless the person:

(a) Has a certificate of authorization to operate a radiation machine issued by the Division; or

(b) Is licensed pursuant to chapter 630 or 633 of NRS.

2. To obtain a certificate of authorization to operate a radiation machine for mammography, a person must:

(a) Submit an application to the Division on a form provided by the Division and provide any additional information required by the Division;

(b) Be certified by the American Registry of Radiologic Technologists or meet the standards established by the Division pursuant to subsection 1 of NRS 457.065;

(c) Pass an examination if the Division determines that an examination for certification is necessary to protect the health and safety of the residents of this State;

(d) Submit the statement required pursuant to NRS 457.1833; and

(e) Pay the fee required by the Division, which must be calculated to cover the administrative costs directly related to the process of issuing the certificates.

3. An application for the issuance of a certificate of authorization to operate a radiation machine for mammography must include the social security number of the applicant.

4. The Division shall certify a person to operate a radiation machine for mammography if the person complies with the provisions of subsection 2 and meets the standards adopted pursuant to subsection 1 of NRS 457.065.

5. A certificate of authorization to operate a radiation machine for mammography expires 3 years after the date on which it was issued unless it is renewed before that date. The Division shall require continuing education as a prerequisite to the renewal of a certificate and shall charge a fee for renewal that is calculated to cover the administrative costs directly related to the renewal of a certificate.

6. A person who is certified to operate a radiation machine for mammography pursuant to this section shall not operate such a machine without a valid certificate of authorization issued pursuant to NRS 457.184 for the machine.

**457.1833 Payment of child support: Statement by applicant for certificate of authorization; grounds for denial of certificate of authorization; duty of Division.**

1. An applicant for the issuance or renewal of a certificate of authorization to operate a radiation machine for mammography shall submit to the Division the statement prescribed by the Division of



Welfare and Supportive Services of the Department of Health and Human Services pursuant to NRS 425.520. The statement must be completed and signed by the applicant.

2. The Division shall include the statement required pursuant to subsection 1 in:

(a) The application or any other forms that must be submitted for the issuance or renewal of the certificate; or

(b) A separate form prescribed by the Division.

3. A certificate of authorization to operate a radiation machine for mammography may not be issued or renewed by the Division if the applicant:

(a) Fails to submit the statement required pursuant to subsection 1; or

(b) Indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.

4. If an applicant indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the Division shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage.

**457.1837 Suspension of certificate of authorization for failure to pay child support or comply with certain subpoenas or warrants; reinstatement of certificate of authority.**

1. If the Division receives a copy of a court order issued pursuant to NRS 425.540 that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who is the holder of a certificate of authorization to operate a radiation machine for mammography, the Division shall deem the certificate issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the Division receives a letter issued to the holder of the certificate by the district attorney or other public agency pursuant to NRS 425.550 stating that the holder of the certificate has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

2. The Division shall reinstate a certificate of authorization to operate a radiation machine for mammography that has been suspended by a district court pursuant to NRS 425.540 if the Division receives a letter issued by the district attorney or other



public agency pursuant to NRS 425.550 to the person whose certificate was suspended stating that the person whose certificate was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

**457.1853 Application for renewal of certificate: Information concerning state business license required; conditions which require denial.**

1. In addition to any other requirements set forth in this chapter, an applicant for the renewal of a certificate of authorization to operate a radiation machine for mammography must indicate in the application submitted to the Division whether the applicant has a state business license. If the applicant has a state business license, the applicant must include in the application the business identification number assigned by the Secretary of State upon compliance with the provisions of chapter 76 of NRS.

2. A certificate of authorization to operate a radiation machine for mammography may not be renewed by the Division if:

(a) The applicant fails to submit the information required by subsection 1; or

(b) The State Controller has informed the Division pursuant to subsection 5 of NRS 353C.1965 that the applicant owes a debt to an agency that has been assigned to the State Controller for collection and the applicant has not:

(1) Satisfied the debt;

(2) Entered into an agreement for the payment of the debt pursuant to NRS 353C.130; or

(3) Demonstrated that the debt is not valid.

3. As used in this section:

(a) “Agency” has the meaning ascribed to it in NRS 353C.020.

(b) “Debt” has the meaning ascribed to it in NRS 353C.040.

