

SENATE BILL NO. 171—SENATOR HARDY

FEBRUARY 18, 2019

Referred to Committee on Commerce and Labor

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

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

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

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

Legislative Counsel's Digest:

1 Existing law establishes certain programs within the University of Nevada
2 School of Medicine to ensure adequate access to health care in all areas of this
3 State. (NRS 396.899-396.908) **Section 14** of this bill requires the Board of Regents
4 of the University to develop and make available to certain licensing boards a data
5 request to be administered to applicants to those boards for the renewal of a license,
6 certificate or registration. **Section 14** requires that data request to solicit from each
7 applicant demographic information and certain information about the applicant's
8 practice. **Sections 1-8** of this bill require: (1) each applicant to those boards for the
9 renewal of a license to complete the data request; and (2) each licensing board to
10 submit the information contained in each completed data request to the Board of



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11 Regents. **Section 14** requires the Board of Regents to establish and maintain a
12 database comprised of such information.

13 **Section 15** of this bill requires the Board of Regents to establish the Health
14 Care Workforce Working Group. **Section 16** of this bill prescribes the duties of the
15 Working Group, which include: (1) analyzing the information contained in the
16 database; (2) publishing and periodically updating a short-term plan and a 5-year
17 plan to improve access to health care in this State; and (3) making
18 recommendations to professional licensing boards, the Legislature and certain state
19 agencies concerning ways in which to attract more providers of health care to this
20 State and improve health outcomes and public health. **Section 14** authorizes the
21 Working Group and the Department of Health and Human Services to access
22 information in the database from which personally identifiable information has
23 been removed and publish aggregated information from the database. **Sections 1-9**
24 **and 14** of this bill provide that information collected using the data request is
25 otherwise confidential. **Section 17** of this bill authorizes the Board of Regents to
26 enter into contracts, apply for and accept gifts, grants and donations and adopt
27 regulations to carry out the duties prescribed by this bill.

28 Existing law requires a laboratory director to notify the health authority of the
29 identification by his or her medical laboratory of the presence of any communicable
30 disease in the jurisdiction of that health authority. (NRS 441A.150) **Section 19** of
31 this bill requires the director of a medical laboratory to additionally report to the
32 health authority the results of tests for certain markers of chronic disease. **Section**
33 **18** of this bill provides for the reporting of such information to the Chief Medical
34 Officer. **Section 20** of this bill provides for the confidentiality of such information.
35 **Section 21** of this bill makes failure to submit the required reports a misdemeanor
36 and authorizes the imposition of an administrative fine against the director of a
37 medical laboratory who fails to submit a required report.

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

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

3 *1. In addition to any other requirements set forth in this*
4 *chapter and any regulations adopted pursuant thereto, each*
5 *applicant for the renewal of a license pursuant to this chapter or a*
6 *biennial registration pursuant to NRS 630.267 shall complete the*
7 *data request developed by the Board of Regents of the University*
8 *of Nevada pursuant to section 14 of this act.*

9 *2. The Board shall submit the information contained in each*
10 *data request completed pursuant to subsection 1 to the Board of*
11 *Regents of the University of Nevada for inclusion in the database*
12 *established pursuant to section 14 of this act.*

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



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

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

8 *2. The Board shall submit the information contained in each*
9 *data request completed pursuant to subsection 1 to the Board of*
10 *Regents of the University of Nevada for inclusion in the database*
11 *established pursuant to section 14 of this act.*

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

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

17 *1. In addition to any other requirements set forth in this*
18 *chapter and any regulations adopted pursuant thereto, each*
19 *applicant for the renewal of a license or certificate pursuant to*
20 *this chapter shall complete the data request developed by the*
21 *Board of Regents of the University of Nevada pursuant to section*
22 *14 of this act.*

23 *2. The Board shall submit the information contained in each*
24 *data request completed pursuant to subsection 1 to the Board of*
25 *Regents of the University of Nevada for inclusion in the database*
26 *established pursuant to section 14 of this act.*

27 *3. The information contained in the data requests completed*
28 *pursuant to subsection 1 is confidential and, except as required by*
29 *subsection 2, must not be disclosed to any person or entity.*

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

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

37 *2. The Board shall submit the information contained in each*
38 *data request completed pursuant to subsection 1 to the Board of*
39 *Regents of the University of Nevada for inclusion in the database*
40 *established pursuant to section 14 of this act.*

41 *3. The information contained in the data requests completed*
42 *pursuant to subsection 1 is confidential and, except as required by*
43 *subsection 2, must not be disclosed to any person or entity.*



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

3 1. *In addition to any other requirements set forth in this*
4 *chapter and any regulations adopted pursuant thereto, each*
5 *applicant for the renewal of registration as a pharmacist, intern*
6 *pharmacist, pharmaceutical technician or pharmaceutical*
7 *technician in training pursuant to this chapter shall complete the*
8 *data request developed by the Board of Regents of the University*
9 *of Nevada pursuant to section 14 of this act.*

10 2. *The Board shall submit the information contained in each*
11 *data request completed pursuant to subsection 1 to the Board of*
12 *Regents of the University of Nevada for inclusion in the database*
13 *established pursuant to section 14 of this act.*

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

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

19 1. *In addition to any other requirements set forth in this*
20 *chapter and any regulations adopted pursuant thereto, each*
21 *applicant for the renewal of a license or registration pursuant to*
22 *this chapter shall complete the data request developed by the*
23 *Board of Regents of the University of Nevada pursuant to section*
24 *14 of this act.*

25 2. *The Board shall submit the information contained in each*
26 *data request completed pursuant to subsection 1 to the Board of*
27 *Regents of the University of Nevada for inclusion in the database*
28 *established pursuant to section 14 of this act.*

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

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

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

39 2. *The Board shall submit the information contained in each*
40 *data request completed pursuant to subsection 1 to the Board of*
41 *Regents of the University of Nevada for inclusion in the database*
42 *established pursuant to section 14 of this act.*

43 3. *The information contained in the data requests completed*
44 *pursuant to subsection 1 is confidential and, except as required by*
45 *subsection 2, must not be disclosed to any person or entity.*



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

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

2. The Board shall submit the information contained in each data request completed pursuant to subsection 1 to the Board of Regents of the University of Nevada for inclusion in the database established pursuant to section 14 of this act.

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

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

239.010 1. Except as otherwise provided in this section and NRS 1.4683, 1.4687, 1A.110, 3.2203, 41.071, 49.095, 49.293, 62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030, 62H.170, 62H.220, 62H.320, 75A.100, 75A.150, 76.160, 78.152, 80.113, 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413, 87A.200, 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345, 88A.7345, 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270, 116B.880, 118B.026, 119.260, 119.265, 119.267, 119.280, 119A.280, 119A.653, 119B.370, 119B.382, 120A.690, 125.130, 125B.140, 126.141, 126.161, 126.163, 126.730, 127.007, 127.057, 127.130, 127.140, 127.2817, 128.090, 130.312, 130.712, 136.050, 159.044, 159A.044, 172.075, 172.245, 176.01249, 176.015, 176.0625, 176.09129, 176.156, 176A.630, 178.39801, 178.4715, 178.5691, 179.495, 179A.070, 179A.165, 179D.160, 200.3771, 200.3772, 200.5095, 200.604, 202.3662, 205.4651, 209.392, 209.3925, 209.419, 209.521, 211A.140, 213.010, 213.040, 213.095, 213.131, 217.105, 217.110, 217.464, 217.475, 218A.350, 218E.625, 218F.150, 218G.130, 218G.240, 218G.350, 228.270, 228.450, 228.495, 228.570, 231.069, 231.1473, 233.190, 237.300, 239.0105, 239.0113, 239B.030, 239B.040, 239B.050, 239C.140, 239C.210, 239C.230, 239C.250, 239C.270, 240.007, 241.020, 241.030, 241.039, 242.105, 244.264, 244.335, 247.540, 247.550, 247.560, 250.087, 250.130, 250.140, 250.150, 268.095, 268.490, 268.910, 271A.105, 281.195, 281.805, 281A.350, 281A.680, 281A.685, 281A.750, 281A.755, 281A.780, 284.4068, 286.110, 287.0438, 289.025, 289.080, 289.387, 289.830, 293.4855, 293.5002, 293.503, 293.504, 293.558, 293.906, 293.908, 293.910, 293B.135, 293D.510, 331.110, 332.061, 332.351, 333.333, 333.335, 338.070, 338.1379, 338.1593, 338.1725, 338.1727, 348.420, 349.597, 349.775, 353.205, 353A.049, 353A.085, 353A.100, 353C.240, 360.240, 360.247,



1 360.255, 360.755, 361.044, 361.610, 365.138, 366.160, 368A.180,
2 370.257, 370.327, 372A.080, 378.290, 378.300, 379.008, 379.1495,
3 385A.830, 385B.100, 387.626, 387.631, 388.1455, 388.259,
4 388.501, 388.503, 388.513, 388.750, 388A.247, 388A.249, 391.035,
5 391.120, 391.925, 392.029, 392.147, 392.264, 392.271, 392.315,
6 392.317, 392.325, 392.327, 392.335, 392.850, 394.167, 394.1698,
7 394.447, 394.460, 394.465, 396.3295, 396.405, 396.525, 396.535,
8 396.9685, 398A.115, 408.3885, 408.3886, 408.3888, 408.5484,
9 412.153, 416.070, 422.2749, 422.305, 422A.342, 422A.350,
10 425.400, 427A.1236, 427A.872, 432.028, 432.205, 432B.175,
11 432B.280, 432B.290, 432B.407, 432B.430, 432B.560, 432B.5902,
12 433.534, 433A.360, 437.145, 439.840, 439B.420, 440.170,
13 441A.195, 441A.220, 441A.230, 442.330, 442.395, 442.735,
14 445A.665, 445B.570, 449.209, 449.245, 449A.112, 450.140,
15 453.164, 453.720, 453A.610, 453A.700, 458.055, 458.280, 459.050,
16 459.3866, 459.555, 459.7056, 459.846, 463.120, 463.15993,
17 463.240, 463.3403, 463.3407, 463.790, 467.1005, 480.365, 480.940,
18 481.063, 481.091, 481.093, 482.170, 482.5536, 483.340, 483.363,
19 483.575, 483.659, 483.800, 484E.070, 485.316, 501.344, 503.452,
20 522.040, 534A.031, 561.285, 571.160, 584.655, 587.877, 598.0964,
21 598.098, 598A.110, 599B.090, 603.070, 603A.210, 604A.710,
22 612.265, 616B.012, 616B.015, 616B.315, 616B.350, 618.341,
23 618.425, 622.310, 623.131, 623A.137, 624.110, 624.265, 624.327,
24 625.425, 625A.185, 628.418, 628B.230, 628B.760, 629.047,
25 629.069, 630.133, 630.30665, 630.336, 630A.555, 631.368,
26 632.121, 632.125, 632.405, 633.283, 633.301, 633.524, 634.055,
27 634.214, 634A.185, 635.158, 636.107, 637.085, 637B.288, 638.087,
28 638.089, 639.2485, 639.570, 640.075, 640A.220, 640B.730,
29 640C.400, 640C.600, 640C.620, 640C.745, 640C.760, 640D.190,
30 640E.340, 641.090, 641.325, 641A.191, 641A.289, 641B.170,
31 641B.460, 641C.760, 641C.800, 642.524, 643.189, 644A.870,
32 645.180, 645.625, 645A.050, 645A.082, 645B.060, 645B.092,
33 645C.220, 645C.225, 645D.130, 645D.135, 645E.300, 645E.375,
34 645G.510, 645H.320, 645H.330, 647.0945, 647.0947, 648.033,
35 648.197, 649.065, 649.067, 652.228, 654.110, 656.105, 661.115,
36 665.130, 665.133, 669.275, 669.285, 669A.310, 671.170, 673.450,
37 673.480, 675.380, 676A.340, 676A.370, 677.243, 679B.122,
38 679B.152, 679B.159, 679B.190, 679B.285, 679B.690, 680A.270,
39 681A.440, 681B.260, 681B.410, 681B.540, 683A.0873, 685A.077,
40 686A.289, 686B.170, 686C.306, 687A.110, 687A.115, 687C.010,
41 688C.230, 688C.480, 688C.490, 689A.696, 692A.117, 692C.190,
42 692C.3507, 692C.3536, 692C.3538, 692C.354, 692C.420,
43 693A.480, 693A.615, 696B.550, 696C.120, 703.196, 704B.320,
44 704B.325, 706.1725, 706A.230, 710.159, 711.600, *and sections 1 to*
45 *8, inclusive, and 14 of this act*, sections 35, 38 and 41 of chapter



478, Statutes of Nevada 2011 and section 2 of chapter 391, Statutes of Nevada 2013 and unless otherwise declared by law to be confidential, all public books and public records of a governmental entity must be open at all times during office hours to inspection by any person, and may be fully copied or an abstract or memorandum may be prepared from those public books and public records. Any such copies, abstracts or memoranda may be used to supply the general public with copies, abstracts or memoranda of the records or may be used in any other way to the advantage of the governmental entity or of the general public. This section does not supersede or in any manner affect the federal laws governing copyrights or enlarge, diminish or affect in any other manner the rights of a person in any written book or record which is copyrighted pursuant to federal law.

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

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

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

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

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

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

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

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

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



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

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

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

(a) *The gender, race and ethnicity of the applicant;*

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

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

(d) *The number of locations in this State and other jurisdictions at which the applicant practices;*

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

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

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

(h) *The average number of hours worked per week by the applicant and the total number of weeks worked by the applicant during the immediately preceding calendar year;*

(i) *The percentages of working hours during which the applicant engages in patient care and other activities, including, without limitation, teaching, research and administration;*

(j) *Any planned major changes to the practice of the applicant, including, without limitation, retirement, relocation or significant changes in working hours;*

(k) *Costs incurred by the applicant or his or her employer for professional liability coverage for the applicant and any difficulty encountered by the applicant or his or her employer in procuring such coverage; and*

(l) *Any other information prescribed by regulation of the Board of Regents.*

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

3. *Except as otherwise provided in this subsection, information contained in the database is confidential. The*



1 *Department of Health and Human Services, any Division thereof*
2 *and the Working Group may:*

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

7 *(b) Publish aggregated data from the database.*

8 **Sec. 15.** 1. *The Board of Regents shall establish the Health*
9 *Care Workforce Working Group within the University of Nevada*
10 *School of Medicine. The Board of Regents shall appoint to the*
11 *Working Group providers of health care and representatives of:*

12 *(a) Groups that represent providers of health care and*
13 *consumers of health care;*

14 *(b) The System, universities, state colleges, community colleges*
15 *and other institutions in this State that train providers of health*
16 *care;*

17 *(c) The Department of Education and the Department of*
18 *Health and Human Services; and*

19 *(d) Professional licensing boards that license, certify or*
20 *register providers of health care.*

21 2. *The Board of Regents shall appoint a Chair of the*
22 *Working Group. The Working Group shall meet at the call of the*
23 *Chair. A majority of the members of the Working Group*
24 *constitutes a quorum and is required to transact any business of*
25 *the Working Group.*

26 3. *The members of the Working Group serve without*
27 *compensation and are not entitled to receive the per diem*
28 *allowance and travel expenses provided for state officers and*
29 *employees generally.*

30 4. *A member of the Working Group who is an officer or*
31 *employee of this State or a political subdivision of this State must*
32 *be relieved from his or her duties without loss of regular*
33 *compensation to prepare for and attend meetings of the Working*
34 *Group and perform any work necessary to carry out the duties of*
35 *the Working Group in the most timely manner practicable. A state*
36 *agency or political subdivision of this State shall not require an*
37 *officer or employee who is a member of the Working Group to:*

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

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

41 5. *The Board of Regents shall provide such administrative*
42 *support to the Working Group as is necessary to carry out the*
43 *duties of the Working Group.*

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



1 *1. Make recommendations to the Board of Regents*
2 *concerning the electronic data request developed pursuant to*
3 *section 14 of this act;*

4 *2. Analyze the information contained in the database*
5 *established pursuant to section 14 of this act;*

6 *3. Make recommendations to the professional licensing*
7 *boards described in section 14 of this act, the Department of*
8 *Health and Human Services, the Department of Education, the*
9 *Board of Regents and the Legislature concerning ways in which*
10 *to:*

11 *(a) Attract more persons, including, without limitation,*
12 *members of underrepresented groups, to pursue the education*
13 *necessary to practice as a provider of health care and practice as a*
14 *provider of health care in this State; and*

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

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

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

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

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

26 **Sec. 17. The Board of Regents may:**

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

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

31 *3. Apply for and accept any gifts, grants and donations to*
32 *carry out the provisions of sections 11 to 17, inclusive, of this act.*

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

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

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

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

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

44 (d) For each communicable disease, the procedures for testing,
45 treating, isolating and quarantining a person or group of persons



1 who have been exposed to or have or are suspected of having the
2 disease.

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

8 2. The Board shall adopt regulations governing the procedures
9 for reporting cases or suspected cases of drug overdose *and the*
10 *results of the tests described in paragraph (b) of subsection 4 of*
11 *NRS 441A.150* to the Chief Medical Officer or his or her designee,
12 including the time within which such reports must be made and the
13 information that such reports must include.

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

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

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

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

21 441A.150 1. A provider of health care who knows of, or
22 provides services to, a person who has or is suspected of having a
23 communicable disease shall report that fact to the health authority in
24 the manner prescribed by the regulations of the Board. If no
25 provider of health care is providing services, each person having
26 knowledge that another person has a communicable disease shall
27 report that fact to the health authority in the manner prescribed by
28 the regulations of the Board.

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

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

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

43 (a) *The* identification by his or her medical laboratory of the
44 presence of any communicable disease in the jurisdiction of that
45 health authority. The health authority shall not presume a diagnosis



of a communicable disease on the basis of the notification received from the laboratory director.

(b) The results of each test performed at the laboratory for:

(1) Hemoglobin A1c;

(2) Cholesterol and lipids; and

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

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

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

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

1. As otherwise provided in NRS 439.538.

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

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

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

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

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

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

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

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

10. To a firefighter, police officer or person providing emergency medical services if the Board has determined that the information relates to a communicable disease significantly related



1 to that occupation. The information must be disclosed in the manner
2 prescribed by the Board.

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

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

6 441A.920 Every provider of health care, medical facility or
7 medical laboratory that willfully fails, neglects or refuses to comply
8 with any regulation of the Board relating to the reporting of a
9 communicable disease , ~~for~~ drug overdose *or test for markers of*
10 *chronic diseases* or any requirement of this chapter is guilty of a
11 misdemeanor and, in addition, may be subject to an administrative
12 fine of \$1,000 for each violation, as determined by the Board.

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

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

