

ASSEMBLY BILL NO. 14—COMMITTEE
ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE DIVISION OF EMERGENCY MANAGEMENT
OF THE DEPARTMENT OF PUBLIC SAFETY)

PREFILED NOVEMBER 18, 2020

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to emergency management. (BDR 19-335)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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

AN ACT relating to emergency management; revising requirements regarding the frequency of meetings of the Nevada Resilience Advisory Committee, the Nevada Tribal Emergency Coordinating Council and the State Disaster Identification Coordination Committee; revising provisions relating to the reporting by a provider of health care of certain information regarding the treatment of certain persons to the State Disaster Identification Coordination Committee; revising the duties of the State Disaster Identification Coordination Committee; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law creates the Nevada Resilience Advisory Committee and requires the Nevada Resilience Advisory Committee to perform certain duties relating to emergency management, emergency response and homeland security. (NRS 239C.400, 239C.440) **Section 1** of this bill changes the required frequency in existing law of meetings of the Nevada Resilience Advisory Committee from at least once a month to at least once each quarter. (NRS 239C.410)

Existing law creates the Nevada Tribal Emergency Coordinating Council within the Division of Emergency Management of the Department of Public Safety and requires the Nevada Tribal Emergency Coordinating Council to: (1) perform certain duties relating to emergency management on tribal lands; and (2) meet at least once every 3 months. (NRS 414.165) **Section 2** of this bill instead requires the



Nevada Tribal Emergency Coordinating Council to meet as frequently as required to perform its duties, but at least once each quarter.

Existing law establishes the State Disaster Identification Coordination Committee within the Division of Emergency Management and requires the State Disaster Identification Coordination Committee to develop a plan for the sharing of information among state, local and tribal governmental agencies during the existence of a state of emergency or declaration of disaster. (NRS 414.270, 414.280, 414.285) **Section 3** of this bill changes the required frequency in existing law of meetings of the State Disaster Identification Coordination Committee from at least once each calendar quarter to as frequently as required to perform its duties, but not less than once each calendar year. (NRS 414.270)

Existing law authorizes the Chief of the Division to activate the State Disaster Identification Coordination Committee or a subcommittee thereof during a state of emergency or a declaration of a disaster. Upon activation, existing law requires the State Disaster Identification Coordination Committee or a subcommittee thereof to: (1) coordinate the sharing of information regarding persons who appear to have been injured or killed or contracted an illness in the emergency; and (2) perform certain other duties. (NRS 414.285) **Section 5** of this bill removes the requirement that the State Disaster Identification Coordination Committee or a subcommittee thereof perform certain specified duties upon activation, but maintains the requirement in existing law regarding coordinating the sharing of information.

Existing law requires, to the extent feasible, a provider of health care to whom a person comes or is brought for the treatment of an injury inflicted during a state of emergency or declaration of disaster or an illness contracted during a public health emergency or other health event to submit a report to the State Disaster Identification Coordination Committee. (NRS 629.043) **Section 6** of this bill makes the submission of such a report by a provider of health care discretionary. **Section 4** of this bill makes a conforming change related to the submission of the report being made discretionary.

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

Section 1. NRS 239C.410 is hereby amended to read as follows:

239C.410 1. The Nevada Resilience Advisory Committee shall meet at the call of the Chair of the Committee as frequently as required to perform its duties, but not less than once ~~four-month~~ *each quarter*.

2. A majority of the voting members of the Committee constitutes a quorum for the transaction of business, and a majority of those voting members present at any meeting is sufficient for any official action taken by the Committee.

Sec. 2. NRS 414.165 is hereby amended to read as follows:

414.165 1. The Nevada Tribal Emergency Coordinating Council, consisting of not more than 27 members appointed by the Chief, is hereby created within the Division of Emergency Management of the Department of Public Safety. The Chief shall appoint each member from a different federally recognized Indian



1 tribe or nation, all or part of which is located within the boundaries
2 of this State. A member of the Council may not represent more than
3 one federally recognized Indian tribe or nation.

4 2. The term of office of each member of the Council is 2 years.

5 3. The Council shall meet at the call of the Chief ~~[and at least~~
6 ~~once every 3 months.]~~ *as frequently as required to perform its*
7 *duties, but not less than once each quarter.*

8 4. The Division of Emergency Management shall provide the
9 Council with administrative support.

10 5. The Council shall:

11 (a) Advise the Chief regarding emergency management on tribal
12 lands;

13 (b) Assist in the coordination of mitigation, preparedness,
14 response and recovery activities related to an emergency on tribal
15 lands; and

16 (c) Submit an annual report to the Chief on or before January 31
17 of each year which must include, without limitation:

18 (1) A summary of the activities of the Council during the
19 immediately preceding calendar year; and

20 (2) Recommendations relating to emergency management on
21 tribal lands.

22 6. The Attorney General shall enter into any agreements
23 necessary to carry out the provisions of this section.

24 **Sec. 3.** NRS 414.270 is hereby amended to read as follows:

25 414.270 1. A State Disaster Identification Coordination
26 Committee is hereby established within the Division of Emergency
27 Management of the Department of Public Safety. The Chief shall
28 appoint to the State Disaster Identification Coordination Committee:

29 (a) One or more representatives of a state or local organization
30 for emergency management;

31 (b) One or more representatives of the office of a county
32 coroner;

33 (c) One or more representatives of the Office of the Attorney
34 General;

35 (d) One or more representatives of the Nevada Hospital
36 Association or its successor organization;

37 (e) One or more representatives of a state or local public health
38 agency whose duties relate to emergency preparedness;

39 (f) The Chief Medical Officer;

40 (g) An employee of the Department of Health and Human
41 Services whose duties relate to ensuring compliance with the Health
42 Insurance Portability and Accountability Act of 1996, Public Law
43 104-191, as amended, and any applicable regulations; and



(h) A consumer of healthcare services.

2. The State Disaster Identification Coordination Committee shall meet at ~~least~~ *the call of the Chief as frequently as required to perform its duties, but not less than* once each calendar ~~quarter~~ *year*.

3. The provisions of chapter 241 of NRS do not apply to any meeting held by the State Disaster Identification Coordination Committee or a subcommittee thereof.

Sec. 4. NRS 414.280 is hereby amended to read as follows:

414.280 The State Disaster Identification Coordination Committee shall:

1. Notify providers of health care, as defined in NRS 629.031, in writing of the ~~requirements~~ *provisions* of NRS 629.043.

2. Develop a plan for performing ~~the~~ *its* duties ~~prescribed in~~ *pursuant to* NRS 414.285 during activation. Such a plan is confidential and must be securely maintained by each person who has possession, custody or control of the plan.

3. Annually review the plan developed pursuant to subsection 2 and annually practice carrying out the plan.

4. On or before January 31 of each year, submit a report to the Chief, the Governor and the Director of the Legislative Counsel Bureau for transmittal to the next session of the Legislature, if the report is submitted in an even-numbered year, or the Legislative Commission, if the report is submitted in an odd-numbered year. The report must include, without limitation:

(a) A description of the activities of the State Disaster Identification Coordination Committee for the immediately preceding calendar year; and

(b) A summary of any policies or procedures adopted by the State Disaster Identification Coordination Committee for the immediately preceding calendar year.

Sec. 5. NRS 414.285 is hereby amended to read as follows:

414.285 ~~It~~ The Chief may activate the State Disaster Identification Coordination Committee or any subcommittee thereof to coordinate the sharing of information among state, local and tribal governmental agencies regarding persons who appear to have been injured or killed or contracted an illness:

~~(a)~~ *1.* During the existence of a state of emergency or declaration of disaster pursuant to NRS 414.070 or a public health emergency or other health event pursuant to NRS 439.970; or

~~(b)~~ *2.* During an emergency in a political subdivision, upon the request of a political subdivision, if the Chief determines that the political subdivision requires the services of the Committee.



~~[2.—If activated pursuant to subsection 1, the State Disaster Identification Coordination Committee or subcommittee thereof shall:~~

~~—(a) Determine which state, local or tribal governmental agencies have a legitimate need for the information received pursuant to NRS 629.043 and distribute that information to those agencies.~~

~~—(b) Determine the specific information a state, local or tribal governmental agency must share to assist other state, local or tribal governmental agencies to:~~

~~—(1) Identify a person who appears to have been injured or killed or contracted an illness as a result of the emergency, disaster or other event;~~

~~—(2) Notify members of the family of a person who appears to have been injured or killed or contracted an illness as a result of the emergency, disaster or other event; or~~

~~—(3) Reunite a person who appears to have been injured or killed or contracted an illness as a result of the emergency, disaster or other event with members of his or her family.~~

~~—(c) Establish a registry of persons who appear to have been injured or killed or contracted an illness as a result of the emergency, disaster or other event and make the registry available to state, local or tribal governmental agencies.~~

~~—(d) Ensure compliance with the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191, as amended, and any applicable regulations and any other federal or state law.]~~

Sec. 6. NRS 629.043 is hereby amended to read as follows:

629.043 1. ~~[To the extent feasible, every]~~ A provider of health care to whom any person comes or is brought for the treatment of an injury which the provider concludes was inflicted during the existence of a state of emergency or declaration of disaster pursuant to NRS 414.070 or an illness which the provider concludes was contracted during a public health emergency or other health event pursuant to NRS 439.970 ~~[shall]~~ *may* submit a written report electronically to the State Disaster Identification Coordination Committee . ~~[on a form prescribed by the State Disaster Identification Coordination Committee.]~~

2. ~~[The]~~ *If a provider of health care submits a* report ~~[required by]~~ *pursuant to* subsection 1 , *the report* must include, without limitation:

(a) The name, address, telephone number and electronic mail address of the person treated, if known;

(b) The location where the person was treated; and

(c) The character or extent of the injuries or illness of the person treated.



1 3. A provider of health care and his or her agents and
2 employees are immune from any civil action for any disclosures
3 made in good faith in accordance with the provisions of this section.
4 **Sec. 7.** This act becomes effective upon passage and approval.

