

Amendment No. 22

Assembly Amendment to Assembly Bill No. 14	(BDR 19-335)
Proposed by: Assembly Committee on Government Affairs	
Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes	

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

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.



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 ~~at least~~ **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 ~~in a 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 tribe or nation, all or part of which is located within the boundaries of this State. A member of the Council may not represent more than one federally recognized Indian tribe or nation.

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

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

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

5. The Council shall:

(a) Advise the Chief regarding emergency management on tribal lands;
(b) Assist in the coordination of mitigation, preparedness, response and recovery activities related to an emergency on tribal lands; and
(c) Submit an annual report to the Chief on or before January 31 of each year which must include, without limitation:

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

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

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

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

2 414.270 1. A State Disaster Identification Coordination Committee is
3 hereby established within the Division of Emergency Management of the
4 Department of Public Safety. The Chief shall appoint to the State Disaster
5 Identification Coordination Committee:

6 (a) One or more representatives of a state or local organization for emergency
7 management;

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

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

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

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

14 (f) The Chief Medical Officer;

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

19 (h) A consumer of healthcare services.

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

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

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

27 414.280 The State Disaster Identification Coordination Committee shall:

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

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

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

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

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

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

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

46 414.285 ~~1.~~ The Chief may activate the State Disaster Identification
47 Coordination Committee or any subcommittee thereof to coordinate the sharing of
48 information among state, local and tribal governmental agencies regarding persons
49 who appear to have been injured or killed or contracted an illness:

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

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

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

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

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

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

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

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

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

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

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

26 629.043 1. ~~{To the extent feasible, every}~~ A provider of health care to whom
27 any person comes or is brought for the treatment of an injury which the provider
28 concludes was inflicted during the existence of a state of emergency or declaration
29 of disaster pursuant to NRS 414.070 or an illness which the provider concludes was
30 contracted during a public health emergency or other health event pursuant to NRS
31 439.970 ~~{shall}~~ **may** submit a written report electronically to the State Disaster
32 Identification Coordination Committee. ~~{on a form prescribed by the State Disaster~~
33 ~~Identification Coordination Committee.}~~

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

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

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

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

40 3. A provider of health care and his or her agents and employees are immune
41 from any civil action for any disclosures made in good faith in accordance with the
42 provisions of this section.

43 **Sec. 7.** This act becomes effective upon passage and approval.