

Amendment No. 610

Senate Amendment to Assembly Bill No. 132 First Reprint	(BDR 40-721)
Proposed by: Senate Committee on Health and Human Services	
Amends: Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

Adoption of this amendment will ADD an unfunded mandate requested by the affected local government to A.B. 132 R1 (§ 1).

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.

ERS/HAC



Date: 5/21/2023

A.B. No. 132—Establishes provisions relating to the review of opioid overdose fatalities. (BDR 40-721)



ASSEMBLY BILL NO. 132—ASSEMBLYMEN
COHEN; AND ORENTLICHER

FEBRUARY 9, 2023

Referred to Committee on Health and Human Services

SUMMARY—~~[Establishes provisions relating to the review of opioid overdose fatalities.]~~ **Requires the establishment of a Regional Opioid Task Force in Clark County.** (BDR ~~[40-721])~~ **S-721**

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

CONTAINS UNFUNDED MANDATE (§ 1)
(REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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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 public health; ~~[authorizing certain persons and entities]~~ **requiring the Clark County Board of County Commissioners to establish a Regional Opioid Task Force to** ~~[conduct an]~~ **study certain issues relating to** opioid overdose ~~[fatality review; prohibiting the use of an opioid overdose fatality review for certain purposes; requiring certain information to be made available to a person or entity conducting an opioid overdose fatality review; providing certain immunity from liability;]~~ **fatalities;** and providing other matters properly relating thereto.

Legislative Counsel's Digest:

~~[Existing law creates the Committee to Review Suicide Fatalities within the Department of Health and Human Services, consisting of 10 members appointed by the Director of the Department. (NRS 439.5104) The Committee has certain powers and duties, including obtaining and using data and information to: (1) review suicide fatalities in this State to determine trends, risk factors and strategies for prevention; (2) determine and prepare reports concerning trends and patterns of suicide fatalities in this State; (3) identify and evaluate the prevalence of risk factors for preventable suicide fatalities in this State; (4) evaluate and prepare reports concerning high risk factors, current practices, lapses in systematic responses and barriers to the safety and well-being of persons who are at risk of suicide in this State; and (5) recommend any improvement in sources of information relating to investigating reported suicide fatalities and preventing suicide in this State. (NRS 439.5106) The Committee also may: (1) conduct certain investigations; (2) petition a district court for the issuance of a subpoena to compel the production of certain information and records; (3) propose recommended legislation concerning suicide fatalities in this State; and (4) issue certain reports. (NRS 439.5108) This bill enables certain persons and entities to review fatalities resulting from opioid overdoses in this State.~~

~~—Section 2 of this bill defines the term “opioid overdose fatality review” to mean a review of one or more deaths resulting from an opioid overdose. Section 3.5 of this bill authorizes~~

certain governmental entities and health care facilities, a provider of health care or faculty or students at an institution of higher education to conduct an opioid overdose fatality review. Section 3.5 also authorizes other entities to enter into a memorandum of understanding with a governmental entity or an institution of higher education authorizing the entity to conduct an opioid overdose fatality review. Section 3.5: (1) requires a person or entity conducting an opioid overdose fatality review to make any results, findings or recommendations from the opioid overdose fatality review available to the public; and (2) prohibits such a person or entity from using the opioid overdose fatality review for the commercial or exclusive benefit of the entity.

— Section 4 of this bill authorizes a person or entity conducting an opioid overdose fatality review to consult and cooperate with certain entities and access certain information. Section 4 also prescribes certain activities that may be conducted as part of an opioid overdose fatality review.

— Section 5 of this bill authorizes a person or entity conducting an opioid overdose fatality review to: (1) conduct certain investigations; (2) petition a district court for the issuance of a subpoena to compel the production of certain information and records; (3) propose recommendations concerning overdose fatalities in this State; and (4) publish certain reports. Sections 3.5, 5 and 8 of this bill provide that certain books, records or papers received by a person or entity conducting an opioid overdose fatality review are confidential. Section 5 also provides immunity from civil and criminal liability for persons and entities that act in due care in accordance with sections 2-5 of this bill and other applicable law.

— Sections 7, 9 and 10 of this bill make conforming changes to require that certain information be made available to a person or entity conducting an opioid overdose fatality review. This bill requires the Clark County Board of County Commissioners to establish a Regional Opioid Task Force to review data relating to opioid overdose fatalities and near fatalities and use such data to address gaps in community services relating to opioids and opioid overdose fatalities. This bill also requires the Clark County Board of County Commissioners to appoint the members to the Task Force who must be certain persons, represent certain organizations or agencies or have expertise in certain areas. This bill further requires the Task Force to submit a report to the Governor and Director of the Legislative Counsel Bureau with a summary of the work of the Task Force and recommendations for legislation.

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

Delete existing sections 1 through 11 of this bill and replace with the following new sections 1 through 3:

Section 1. 1. The Clark County Board of County Commissioners shall establish a Regional Opioid Task Force, consisting of the following members appointed by the Clark County Board of County Commissioners:

(a) One member who represents a social services agency in Clark County;
(b) One member who represents the Department of Family Services of Clark County;

(c) One member who represents the Department of Juvenile Justice Services of Clark County;

(d) One member who represents the Southern Nevada Health District;

(e) One member with experience in the field of public health epidemiology selected from a list of nominees submitted by the Southern Nevada Health District;

(f) One member with experience in the field of primary health care;

(g) One member with experience in the field of mental health;

(h) One member who represents the Clark County School District;

1 (i) One member who represents law enforcement selected from a list of
2 nominees submitted by the Las Vegas Metropolitan Police Department;

3 (j) One member with experience in the field of behavioral health;

4 (k) One member with experience in the field of addiction medicine;

5 (l) One member who represents a provider of emergency medical services
6 in Clark County;

7 (m) One member who represents public health educators or community
8 health workers who represent or serve persons with limited-English
9 proficiency;

10 (n) One member who represents a substance use disorder prevention
11 coalition in Clark County; and

12 (o) The Clark County coroner or his or her designee.

13 2. The Task Force shall:

14 (a) Review data relating to opioid overdose fatalities and near fatalities in
15 the county to identify gaps in community services relating to opioids and
16 opioid overdose fatalities;

17 (b) Identify existing statewide and community databases that contain
18 information relating to harm reduction and substance use to assist in
19 identifying gaps in community services and developing targeted interventions
20 relating to opioids; and

21 (c) Ensure any data reviewed by the Task Force is comprised of multiple
22 sources and databases.

23 3. After reviewing data pursuant to subsection 2, the Task Force may
24 elect to conduct:

25 (a) A systemic review of opioid overdose fatalities occurring on or after
26 October 1, 2023, as necessary to determine the responsiveness of community
27 services; or

28 (b) A review of opioid overdose fatalities in the zip codes of Clark County
29 with the highest numbers of opioid overdose fatalities.

30 4. In addition to the requirements of subsection 2, the Task Force shall
31 identify:

32 (a) Any trends in the social determinants of health relating to opioid
33 overdose fatalities; and

34 (b) Opportunities for collaboration to leverage existing resources to
35 prevent opioid overdose fatalities, prevent substance misuse and promote
36 recovery for persons with addictive disorders.

37 5. Beginning not later than January 1, 2024, the Task Force shall meet
38 not less than once each quarter. The meetings of the Task Force must be
39 conducted in accordance with the provisions of chapter 241 of NRS.

40 6. The Clark County Board of County Commissioners shall ensure that
41 there is sufficient staffing to support the administrative needs of the Task
42 Force.

43 7. On or before December 30, 2024, the Task Force shall submit a report
44 to the Governor and the Director of the Legislative Counsel Bureau for
45 transmittal to the 83rd Session of the Legislature which includes a summary of
46 the work of the Task Force and any recommendations for legislation.

47 Sec. 2. The provisions of NRS 354.599 do not apply to any additional
48 expenses of a local government that are related to the provisions of this act.

49 Sec. 3. This act becomes effective on October 1, 2023, and expires by
50 limitation on December 31, 2024.