

SENATE BILL NO. 172—SENATORS D. HARRIS, SCHEIBLE,
DONATE; OHRENSCHALL AND PAZINA

FEBRUARY 16, 2023

Referred to Committee on Judiciary

SUMMARY—Revises provisions governing the ability of a minor to consent to certain health care services. (BDR 11-654)

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 ~~fornited material~~ is material to be omitted.

AN ACT relating to health care; authorizing a minor to give express consent to certain health care providers for certain services for the prevention of sexually transmitted diseases and pregnancy; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law establishes the age of 18 years as the age of majority in this State. (NRS 129.010) However, existing law authorizes a local or state health officer, licensed physician or clinic to examine or treat any minor who is suspected of being infected or is infected with any sexually transmitted disease without the consent of the parent, parents or legal guardian of the minor. (NRS 129.060) **Section 1** of this bill: (1) clarifies that a minor must consent to such examination or treatment before the examination or treatment is provided; and (2) additionally authorizes a minor to consent to such an examination or treatment provided by a physician assistant or registered nurse. **Section 1** also authorizes a minor to give express consent to certain health care providers for the provision of services for the prevention of sexually transmitted diseases or the prescribing, dispensing or administration of a contraceptive drug or device without the consent or notification of the parent, parents or legal guardian of the minor.

Existing law prohibits an employee or volunteer at a family resource center which has received a grant from the Director of the Department of Health and Human Services from administering drugs or contraceptives to or performing medical or dental procedures for a minor without written consent from the parent, guardian or legal custodian of the minor. (NRS 430A.180) **Section 2** of this bill authorizes a physician, physician assistant, registered nurse or pharmacist who is an employee or volunteer at such a family resource center to provide services for the prevention of sexually transmitted diseases or prescribe, dispense or administer a



22 contraceptive drug or device to a minor without consent of the parent, guardian or
23 legal custodian.

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

1 **Section 1.** NRS 129.060 is hereby amended to read as follows:
2 129.060 Notwithstanding any other provision of law, ~~the~~
3 ~~consent of the parent, parents or legal guardian of a minor is not~~
4 ~~necessary in order to authorize a~~ *a minor may give express consent*
5 *to:*

6 1. A local or state health officer, licensed physician, *physician*
7 *assistant, registered nurse* or clinic to ~~examine~~ *conduct an*
8 *examination for* or treat, or both, ~~any minor who is suspected of~~
9 ~~being infected or is found to be infected with~~ any sexually
10 transmitted disease.

11 2. A *local or state health officer, licensed physician,*
12 *physician assistant, registered nurse, pharmacist or clinic to:*

13 (a) *Provide services related to the prevention of sexually*
14 *transmitted diseases, including, without limitation, the services*
15 *described in NRS 639.28085; or*

16 (b) *Issue a prescription for, the dispensing of or the*
17 *administration of a contraceptive drug or device.*

18 **Sec. 2.** NRS 430A.180 is hereby amended to read as follows:

19 430A.180 ~~When~~

20 1. *Except as otherwise provided in subsection 2, when*
21 *providing services on behalf of a family resource center which has*
22 *received a grant from the Director pursuant to the provisions of this*
23 *chapter, an employee or volunteer at the family resource center shall*
24 *not administer drugs or contraceptives to or perform medical or*
25 *dental procedures for a minor unless written consent to administer*
26 *those drugs or contraceptives or to perform those procedures has*
27 *been obtained from the minor's parent, guardian or legal custodian.*

28 2. *A licensed physician, physician assistant, registered nurse*
29 *or pharmacist who is an employee or volunteer at a family*
30 *resource center which has received a grant from the Director*
31 *pursuant to the provisions of this chapter may provide the services*
32 *described in NRS 129.060 under the conditions authorized by that*
33 *section.*

34 **Sec. 3.** This act becomes effective upon passage and approval.

