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FIRST REPRINT

A.B. 514

ASSEMBLY BILL NO. 514—COMMITTEE ON  
HEALTH AND HUMAN SERVICES

(ON BEHALF OF THE JOINT INTERIM STANDING COMMITTEE  
ON HEALTH AND HUMAN SERVICES)

MARCH 24, 2025

Referred to Committee on Health and Human Services

SUMMARY—Makes revisions relating to mental health care.  
(BDR 38-350)

FISCAL NOTE: Effect on Local Government: No.  
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 mental health; requiring Medicaid to provide coverage for rehabilitative residential mental health care; requiring the State Long-Term Care Ombudsman to investigate and provide certain assistance to providers of rehabilitative residential mental health care; providing for the licensure and regulation of providers of rehabilitative residential mental health care; providing a penalty; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law requires the Department of Health and Human Services to  
2 administer Medicaid. (NRS 422.270) **Section 1** of this bill requires the Director of  
3 the Department to include under Medicaid coverage for rehabilitative residential  
4 mental health care provided to certain recipients of Medicaid. **Section 5** of this bill  
5 defines the term “rehabilitative residential mental health care” to mean community-  
6 based, medically monitored care provided in a residential setting that uses  
7 established rehabilitative principles to achieve certain goals relating to mental  
8 health. **Section 6** of this bill applies that definition to provisions of existing law  
9 governing medical facilities and other related entities. **Section 3** of this bill makes a  
10 conforming change to require the Director to administer the provisions of **section 1**  
11 in the same manner as the provisions of existing law governing the State Plan for  
12 Medicaid.

13 Existing law provides for the licensure and regulation by the Division of Public  
14 and Behavioral Health of the Department of community-based living arrangement



\* A B 5 1 4 R 1 \*

15 services, which are flexible, individualized services that are: (1) provided in the  
16 home, for compensation, to persons with mental illness; and (2) designed and  
17 coordinated to assist such persons in maximizing their independence. (NRS  
18 449.0026, 449.0045, 449.030, 449.0302) **Sections 2 and 4-16** of this bill similarly  
19 provide for the licensure and regulation of providers of rehabilitative residential  
20 mental health care. **Section 8** requires such a provider to obtain a license as a  
21 facility for the dependent and comply with other requirements applicable to such  
22 facilities. **Sections 7, 9 and 10** clarify that such a provider is separate from certain  
23 other types of facilities for the dependent. **Section 11** requires the State Board of  
24 Health to adopt specific regulations governing providers of rehabilitative residential  
25 mental health care. **Sections 12 and 15** provide for the inspection of buildings  
26 operated by such providers. **Sections 13 and 14:** (1) require periodic background  
27 investigations of the personnel of a provider of rehabilitative residential mental  
28 health care; and (2) authorize the suspension or revocation of the license of such a  
29 provider if the provider or an employee of the provider has been convicted of  
30 certain crimes. (NRS 449.174) **Section 16** requires a provider of rehabilitative  
31 residential mental health care to notify a person receiving such care from the  
32 provider, his or her parent or legal guardian or another designated person upon the  
33 discovery by the Division of a deficiency affecting the health and safety of a  
34 patient. **Section 4** requires such a provider to comply with provisions governing the  
35 reporting and investigation of sentinel events and the designation of patient safety  
36 officers. (NRS 439.800-439.890) **Section 2** adds providers of rehabilitative  
37 residential mental health care to the list of facilities that the State Long-Term Care  
38 Ombudsman is required to investigate and assist. (NRS 427A.125-427A.165)  
39 **Section 17** of this bill provides that a person is not required to be a licensed nurse  
40 to provide rehabilitative residential mental health care if the person is licensed  
41 pursuant to the provisions of this bill. Operating as a provider of rehabilitative  
42 residential mental health care without a license would be a misdemeanor.  
43 (NRS 449.210)

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

1 **Section 1.** Chapter 422 of NRS is hereby amended by adding  
2 thereto a new section to read as follows:

3 *1. To the extent that federal financial participation is*  
4 *available, the Director shall include under Medicaid coverage for*  
5 *rehabilitative residential mental health care. Such coverage is not*  
6 *required to pay the costs of room and board for a recipient of*  
7 *rehabilitative residential mental health care.*

8 *2. The Department shall:*

9 *(a) Establish a method for providing the coverage described in*  
10 *subsection 1.*

11 *(b) Apply to the Secretary of Health and Human Services for*  
12 *any waiver of federal law or apply for any amendment of the State*  
13 *Plan for Medicaid that is necessary for the Department to receive*  
14 *federal funding to provide the coverage described in subsection 1.*

15 *(c) Fully cooperate in good faith with the Federal Government*  
16 *during the application process to satisfy the requirements of the*



1 *Federal Government for obtaining a waiver or amendment*  
2 *pursuant to paragraph (b).*

3 *3. As used in this section, "rehabilitative residential mental*  
4 *health care" has the meaning ascribed to it in section 5 of this act.*

5 **Sec. 2.** NRS 427A.0292 is hereby amended to read as follows:  
6 427A.0292 "Living arrangement services" means:

7 1. Community-based living arrangement services, as defined in  
8 NRS 449.0026, that include:

9 (a) Intensive services and overnight supervision of recipients  
10 who require training concerning behavioral skills, self-care and  
11 management of medications; or

12 (b) Services in the home for recipients with chronic medical  
13 conditions and severe mental illness who require habilitation or  
14 rehabilitation services, or both; ~~and~~

15 2. Supported living arrangement services, as defined in NRS  
16 435.3315, that include 24-hour care ~~and~~; *and*

17 *3. Rehabilitative residential mental health care, as defined in*  
18 *section 5 of this act.*

19 **Sec. 3.** NRS 232.320 is hereby amended to read as follows:  
20 232.320 1. The Director:

21 (a) Shall appoint, with the consent of the Governor,  
22 administrators of the divisions of the Department, who are  
23 respectively designated as follows:

24 (1) The Administrator of the Aging and Disability Services  
25 Division;

26 (2) The Administrator of the Division of Welfare and  
27 Supportive Services;

28 (3) The Administrator of the Division of Child and Family  
29 Services;

30 (4) The Administrator of the Division of Health Care  
31 Financing and Policy; and

32 (5) The Administrator of the Division of Public and  
33 Behavioral Health.

34 (b) Shall administer, through the divisions of the Department,  
35 the provisions of chapters 63, 424, 425, 427A, 432A to 442,  
36 inclusive, 446 to 450, inclusive, 458A and 656A of NRS, NRS  
37 127.220 to 127.310, inclusive, 422.001 to 422.410, inclusive, *and*  
38 *section 1 of this act*, 422.580, 432.010 to 432.133, inclusive,  
39 432B.6201 to 432B.626, inclusive, 444.002 to 444.430, inclusive,  
40 and 445A.010 to 445A.055, inclusive, and all other provisions of  
41 law relating to the functions of the divisions of the Department, but  
42 is not responsible for the clinical activities of the Division of Public  
43 and Behavioral Health or the professional line activities of the other  
44 divisions.



1 (c) Shall administer any state program for persons with  
2 developmental disabilities established pursuant to the  
3 Developmental Disabilities Assistance and Bill of Rights Act of  
4 2000, 42 U.S.C. §§ 15001 et seq.

5 (d) Shall, after considering advice from agencies of local  
6 governments and nonprofit organizations which provide social  
7 services, adopt a master plan for the provision of human services in  
8 this State. The Director shall revise the plan biennially and deliver a  
9 copy of the plan to the Governor and the Legislature at the  
10 beginning of each regular session. The plan must:

11 (1) Identify and assess the plans and programs of the  
12 Department for the provision of human services, and any  
13 duplication of those services by federal, state and local agencies;

14 (2) Set forth priorities for the provision of those services;

15 (3) Provide for communication and the coordination of those  
16 services among nonprofit organizations, agencies of local  
17 government, the State and the Federal Government;

18 (4) Identify the sources of funding for services provided by  
19 the Department and the allocation of that funding;

20 (5) Set forth sufficient information to assist the Department  
21 in providing those services and in the planning and budgeting for the  
22 future provision of those services; and

23 (6) Contain any other information necessary for the  
24 Department to communicate effectively with the Federal  
25 Government concerning demographic trends, formulas for the  
26 distribution of federal money and any need for the modification of  
27 programs administered by the Department.

28 (e) May, by regulation, require nonprofit organizations and state  
29 and local governmental agencies to provide information regarding  
30 the programs of those organizations and agencies, excluding  
31 detailed information relating to their budgets and payrolls, which the  
32 Director deems necessary for the performance of the duties imposed  
33 upon him or her pursuant to this section.

34 (f) Has such other powers and duties as are provided by law.

35 2. Notwithstanding any other provision of law, the Director, or  
36 the Director's designee, is responsible for appointing and removing  
37 subordinate officers and employees of the Department.

38 **Sec. 4.** NRS 439.803 is hereby amended to read as follows:

39 439.803 "Health facility" means:

40 1. Any facility licensed by the Division pursuant to chapter 449  
41 of NRS; and

42 2. A home operated by [a] :

43 (a) A provider of community-based living arrangement services,  
44 as defined in NRS 449.0026 [b] ; or



1 *(b) A provider of rehabilitative residential mental health care,*  
2 *as defined in section 5 of this act.*

3 **Sec. 5.** Chapter 449 of NRS is hereby amended by adding  
4 thereto a new section to read as follows:

5 *“Rehabilitative residential mental health care” means*  
6 *community-based, medically monitored care provided in a*  
7 *residential setting that uses established rehabilitative principles to:*

8 *1. Promote the recovery of the client with a mental illness or*  
9 *other behavioral health condition; and*

10 *2. Assist the client in achieving psychiatric stability, personal*  
11 *and emotional adjustment, self-sufficiency and other skills*  
12 *necessary to transition to a more independent setting.*

13 **Sec. 6.** NRS 449.001 is hereby amended to read as follows:

14 449.001 As used in this chapter, unless the context otherwise  
15 requires, the words and terms defined in NRS 449.0015 to  
16 449.0195, inclusive, *and section 5 of this act* have the meanings  
17 ascribed to them in those sections.

18 **Sec. 7.** NRS 449.0026 is hereby amended to read as follows:

19 449.0026 *1.* “Community-based living arrangement services”  
20 means flexible, individualized services, including, without  
21 limitation, training and habilitation services, that are:

22 ~~1.~~ *(a)* Provided in the home, for compensation, to persons  
23 with mental illness who are served by the Division or any other  
24 entity; and

25 ~~2.~~ *(b)* Designed and coordinated to assist such persons in  
26 maximizing their independence.

27 *2. The term does not include rehabilitative residential mental*  
28 *health care.*

29 **Sec. 8.** NRS 449.0045 is hereby amended to read as follows:

30 449.0045 “Facility for the dependent” includes:

31 1. A facility for the treatment of alcohol or other substance use  
32 disorders;

33 2. A facility for the care of adults during the day;

34 3. A residential facility for groups;

35 4. An agency to provide personal care services in the home;

36 5. A facility for transitional living for released offenders;

37 6. A home for individual residential care;

38 7. A community health worker pool; ~~and~~

39 8. A provider of community-based living arrangement services

40 ~~;~~ *and*

41 *9. A provider of rehabilitative residential mental health care.*

42 **Sec. 9.** NRS 449.0105 is hereby amended to read as follows:

43 449.0105 “Home for individual residential care” means a home  
44 in which a natural person furnishes food, shelter, assistance and  
45 limited supervision, for compensation, to not more than two persons



1 with intellectual disabilities or with physical disabilities or who are  
2 aged or infirm, unless the persons receiving those services are  
3 related within the third degree of consanguinity or affinity to the  
4 person providing those services. The term does not include:

5 1. A recovery house for persons recovering from alcohol or  
6 other substance use disorders; ~~for~~

7 2. A home in which community-based living arrangement  
8 services or supported living arrangement services are provided by a  
9 provider of such services during any period in which the provider is  
10 engaged in providing the services ~~for~~; or

11 **3. A location where rehabilitative residential mental health**  
12 **care is provided by a provider of such care.**

13 **Sec. 10.** NRS 449.017 is hereby amended to read as follows:

14 449.017 1. Except as otherwise provided in subsection 2,  
15 “residential facility for groups” means an establishment that  
16 furnishes food, shelter, assistance and limited supervision to a  
17 person with an intellectual disability or with a physical disability or  
18 a person who is aged or infirm. The term includes, without  
19 limitation, an assisted living facility.

20 2. The term does not include:

21 (a) An establishment which provides care only during the day;

22 (b) A natural person who provides care for no more than two  
23 persons in his or her own home;

24 (c) A natural person who provides care for one or more persons  
25 related to him or her within the third degree of consanguinity or  
26 affinity;

27 (d) A recovery house for persons recovering from alcohol or  
28 other substance use disorders; ~~for~~

29 (e) A home in which community-based living arrangement  
30 services or supported living arrangement services are provided by a  
31 provider of such services during any period in which the provider is  
32 providing the services ~~for~~; or

33 **(f) A location where rehabilitative residential mental health**  
34 **care is provided by a provider of such care.**

35 **Sec. 11.** NRS 449.0302 is hereby amended to read as follows:

36 449.0302 1. The Board shall adopt:

37 (a) Licensing standards for each class of medical facility or  
38 facility for the dependent covered by NRS 449.029 to 449.2428,  
39 inclusive, and for programs of hospice care.

40 (b) Regulations governing the licensing of such facilities and  
41 programs.

42 (c) Regulations governing the procedure and standards for  
43 granting an extension of the time for which a natural person may  
44 provide certain care in his or her home without being considered a  
45 residential facility for groups pursuant to NRS 449.017. The



1 regulations must require that such grants are effective only if made  
2 in writing.

3 (d) Regulations establishing a procedure for the indemnification  
4 by the Division, from the amount of any surety bond or other  
5 obligation filed or deposited by a facility for refractive surgery  
6 pursuant to NRS 449.068 or 449.069, of a patient of the facility who  
7 has sustained any damages as a result of the bankruptcy of or any  
8 breach of contract by the facility.

9 (e) Regulations that prescribe the specific types of  
10 discrimination prohibited by NRS 449.101.

11 (f) Regulations requiring a hospital or independent center for  
12 emergency medical care to provide training to each employee who  
13 provides care to victims of sexual assault or attempted sexual assault  
14 concerning appropriate care for such persons, including, without  
15 limitation, training concerning the requirements of NRS 449.1885.

16 (g) Any other regulations as it deems necessary or convenient to  
17 carry out the provisions of NRS 449.029 to 449.2428, inclusive.

18 2. The Board shall adopt separate regulations governing the  
19 licensing and operation of:

20 (a) Facilities for the care of adults during the day; and

21 (b) Residential facilities for groups,

22 ↪ which provide care to persons with Alzheimer's disease or other  
23 severe dementia, as described in paragraph (a) of subsection 2 of  
24 NRS 449.1845.

25 3. The Board shall adopt separate regulations for:

26 (a) The licensure of rural hospitals and rural emergency  
27 hospitals which take into consideration the unique problems of  
28 operating such a facility in a rural area.

29 (b) The licensure of facilities for refractive surgery which take  
30 into consideration the unique factors of operating such a facility.

31 (c) The licensure of mobile units which take into consideration  
32 the unique factors of operating a facility that is not in a fixed  
33 location.

34 4. The Board shall require that the practices and policies of  
35 each medical facility or facility for the dependent provide  
36 adequately for the protection of the health, safety and physical,  
37 moral and mental well-being of each person accommodated in the  
38 facility.

39 5. In addition to the training requirements prescribed pursuant  
40 to NRS 449.093, the Board shall establish minimum qualifications  
41 for administrators and employees of residential facilities for groups.  
42 In establishing the qualifications, the Board shall consider the  
43 related standards set by nationally recognized organizations which  
44 accredit such facilities.



1 6. The Board shall adopt separate regulations regarding the  
2 assistance which may be given pursuant to NRS 453.375 and  
3 454.213 to an ultimate user of controlled substances or dangerous  
4 drugs by employees of residential facilities for groups. The  
5 regulations must require at least the following conditions before  
6 such assistance may be given:

7 (a) The ultimate user's physical and mental condition is stable  
8 and is following a predictable course.

9 (b) The amount of the medication prescribed is at a maintenance  
10 level and does not require a daily assessment.

11 (c) A written plan of care by a physician or registered nurse has  
12 been established that:

13 (1) Addresses possession and assistance in the administration  
14 of the medication; and

15 (2) Includes a plan, which has been prepared under the  
16 supervision of a registered nurse or licensed pharmacist, for  
17 emergency intervention if an adverse condition results.

18 (d) Except as otherwise authorized by the regulations adopted  
19 pursuant to NRS 449.0304, the prescribed medication is not  
20 administered by injection or intravenously.

21 (e) The employee has successfully completed training and  
22 examination approved by the Division regarding the authorized  
23 manner of assistance.

24 7. The Board shall adopt separate regulations governing the  
25 licensing and operation of residential facilities for groups which  
26 provide assisted living services. The Board shall not allow the  
27 licensing of a facility as a residential facility for groups which  
28 provides assisted living services and a residential facility for groups  
29 shall not claim that it provides "assisted living services" unless:

30 (a) Before authorizing a person to move into the facility, the  
31 facility makes a full written disclosure to the person regarding what  
32 services of personalized care will be available to the person and the  
33 amount that will be charged for those services throughout the  
34 resident's stay at the facility.

35 (b) The residents of the facility reside in their own living units  
36 which:

37 (1) Except as otherwise provided in subsection 8, contain  
38 toilet facilities;

39 (2) Contain a sleeping area or bedroom; and

40 (3) Are shared with another occupant only upon consent of  
41 both occupants.

42 (c) The facility provides personalized care to the residents of the  
43 facility and the general approach to operating the facility  
44 incorporates these core principles:



1 (1) The facility is designed to create a residential  
2 environment that actively supports and promotes each resident's  
3 quality of life and right to privacy;

4 (2) The facility is committed to offering high-quality  
5 supportive services that are developed by the facility in  
6 collaboration with the resident to meet the resident's individual  
7 needs;

8 (3) The facility provides a variety of creative and innovative  
9 services that emphasize the particular needs of each individual  
10 resident and the resident's personal choice of lifestyle;

11 (4) The operation of the facility and its interaction with its  
12 residents supports, to the maximum extent possible, each resident's  
13 need for autonomy and the right to make decisions regarding his or  
14 her own life;

15 (5) The operation of the facility is designed to foster a social  
16 climate that allows the resident to develop and maintain personal  
17 relationships with fellow residents and with persons in the general  
18 community;

19 (6) The facility is designed to minimize and is operated in a  
20 manner which minimizes the need for its residents to move out of  
21 the facility as their respective physical and mental conditions change  
22 over time; and

23 (7) The facility is operated in such a manner as to foster a  
24 culture that provides a high-quality environment for the residents,  
25 their families, the staff, any volunteers and the community at large.

26 8. The Division may grant an exception from the requirement  
27 of subparagraph (1) of paragraph (b) of subsection 7 to a facility  
28 which is licensed as a residential facility for groups on or before  
29 July 1, 2005, and which is authorized to have 10 or fewer beds and  
30 was originally constructed as a single-family dwelling if the  
31 Division finds that:

32 (a) Strict application of that requirement would result in  
33 economic hardship to the facility requesting the exception; and

34 (b) The exception, if granted, would not:

35 (1) Cause substantial detriment to the health or welfare of  
36 any resident of the facility;

37 (2) Result in more than two residents sharing a toilet facility;  
38 or

39 (3) Otherwise impair substantially the purpose of that  
40 requirement.

41 9. The Board shall, if it determines necessary, adopt  
42 regulations and requirements to ensure that each residential facility  
43 for groups and its staff are prepared to respond to an emergency,  
44 including, without limitation:



1 (a) The adoption of plans to respond to a natural disaster and  
2 other types of emergency situations, including, without limitation,  
3 an emergency involving fire;

4 (b) The adoption of plans to provide for the evacuation of a  
5 residential facility for groups in an emergency, including, without  
6 limitation, plans to ensure that nonambulatory patients may be  
7 evacuated;

8 (c) Educating the residents of residential facilities for groups  
9 concerning the plans adopted pursuant to paragraphs (a) and (b); and

10 (d) Posting the plans or a summary of the plans adopted  
11 pursuant to paragraphs (a) and (b) in a conspicuous place in each  
12 residential facility for groups.

13 10. The regulations governing the licensing and operation of  
14 facilities for transitional living for released offenders must provide  
15 for the licensure of at least three different types of facilities,  
16 including, without limitation:

17 (a) Facilities that only provide a housing and living  
18 environment;

19 (b) Facilities that provide or arrange for the provision of  
20 supportive services for residents of the facility to assist the residents  
21 with reintegration into the community, in addition to providing a  
22 housing and living environment; and

23 (c) Facilities that provide or arrange for the provision of  
24 programs for alcohol and other substance use disorders, in addition  
25 to providing a housing and living environment and providing or  
26 arranging for the provision of other supportive services.

27 ↪ The regulations must provide that if a facility was originally  
28 constructed as a single-family dwelling, the facility must not be  
29 authorized for more than eight beds.

30 11. The Board shall adopt regulations applicable to providers  
31 of community-based living arrangement services which:

32 (a) Except as otherwise provided in paragraph (b), require a  
33 natural person responsible for the operation of a provider of  
34 community-based living arrangement services and each employee of  
35 a provider of community-based living arrangement services who  
36 supervises or provides support to recipients of community-based  
37 living arrangement services to complete training concerning the  
38 provision of community-based living arrangement services to  
39 persons with mental illness and continuing education concerning the  
40 particular population served by the provider;

41 (b) Exempt a person licensed or certified pursuant to title 54 of  
42 NRS from the requirements prescribed pursuant to paragraph (a) if  
43 the Board determines that the person is required to receive training  
44 and continuing education substantially equivalent to that prescribed  
45 pursuant to that paragraph;



1 (c) Require a natural person responsible for the operation of a  
2 provider of community-based living arrangement services to receive  
3 training concerning the provisions of title 53 of NRS applicable to  
4 the provision of community-based living arrangement services; and

5 (d) Require an applicant for a license to provide community-  
6 based living arrangement services to post a surety bond in an  
7 amount equal to the operating expenses of the applicant for 2  
8 months, place that amount in escrow or take another action  
9 prescribed by the Division to ensure that, if the applicant becomes  
10 insolvent, recipients of community-based living arrangement  
11 services from the applicant may continue to receive community-  
12 based living arrangement services for 2 months at the expense of the  
13 applicant.

14 12. The Board shall adopt separate regulations governing the  
15 licensing and operation of freestanding birthing centers. Such  
16 regulations must:

17 (a) Align with the standards established by the American  
18 Association of Birth Centers, or its successor organization, the  
19 accrediting body of the Commission for the Accreditation of Birth  
20 Centers, or its successor organization, or another nationally  
21 recognized organization for accrediting freestanding birthing  
22 centers; and

23 (b) Allow the provision of supervised training to providers of  
24 health care, as appropriate, at a freestanding birthing center.

25 13. If the regulations adopted pursuant to this section require a  
26 physical examination to be performed on a patient or the medical  
27 history of a patient to be obtained before or after the patient is  
28 admitted to a hospital, those regulations must authorize a certified  
29 nurse-midwife to perform such a physical examination or obtain  
30 such a medical history before or after a patient is admitted to a  
31 hospital for the purpose of giving birth.

32 14. *The Board shall adopt regulations governing the*  
33 *licensing and operation of providers of rehabilitative residential*  
34 *mental health care, which must include, without limitation,*  
35 *separate requirements for providers providing such care to minors*  
36 *and providers providing such care to adults.*

37 15. As used in this section:

38 (a) "Certified nurse-midwife" means a person who is:

39 (1) Certified as a Certified Nurse-Midwife by the American  
40 Midwifery Certification Board, or its successor organization; and

41 (2) Licensed as an advanced practice registered nurse  
42 pursuant to NRS 632.237.

43 (b) "Living unit" means an individual private accommodation  
44 designated for a resident within the facility.



**Sec. 12.** NRS 449.080 is hereby amended to read as follows:

449.080 1. If, after investigation, the Division finds that the:

(a) Applicant is in full compliance with the provisions of NRS 449.029 to 449.2428, inclusive;

(b) Applicant is in substantial compliance with the standards and regulations adopted by the Board;

(c) Applicant, if he or she has undertaken a project for which approval is required pursuant to NRS 439A.100 or 439A.102, has obtained the approval of the Director of the Department of Health and Human Services; and

(d) Facility conforms to the applicable zoning regulations,   
↳ the Division shall issue the license to the applicant.

2. Any investigation of an applicant for a license to provide community-based living arrangement services *or rehabilitative residential mental health care* conducted pursuant to subsection 1 must include, without limitation, an inspection of any building operated by the applicant in which the applicant proposes to provide community-based living arrangement services *or rehabilitative residential mental health care, as applicable.*

3. A license applies only to the person to whom it is issued, is valid only for the premises described in the license and is not transferable.

**Sec. 13.** NRS 449.089 is hereby amended to read as follows:

449.089 1. Each license issued pursuant to NRS 449.029 to 449.2428, inclusive, expires on December 31 following its issuance and is renewable for 1 year upon reapplication and payment of all fees required pursuant to subsection 4 and NRS 449.050, as applicable, unless the Division finds, after an investigation, that the facility has not:

(a) Satisfactorily complied with the provisions of NRS 449.029 to 449.2428, inclusive, or the standards and regulations adopted by the Board;

(b) Obtained the approval of the Director of the Department of Health and Human Services before undertaking a project, if such approval is required by NRS 439A.100 or 439A.102; or

(c) Conformed to all applicable local zoning regulations.

2. Each reapplication for an agency to provide personal care services in the home, an agency to provide nursing in the home, a community health worker pool, a facility for intermediate care, a facility for skilled nursing, a provider of community-based living arrangement services, *a provider of rehabilitative residential mental health care*, a hospital described in 42 U.S.C. § 1395ww(d)(1)(B)(iv), a psychiatric hospital that provides inpatient services to children, a psychiatric residential treatment facility, a residential facility for groups, a program of hospice care, a home for



1 individual residential care, a facility for the care of adults during the  
2 day, a facility for hospice care, a nursing pool, the distinct part of a  
3 hospital which meets the requirements of a skilled nursing facility or  
4 nursing facility pursuant to 42 C.F.R. § 483.5, a hospital that  
5 provides swing-bed services as described in 42 C.F.R. § 482.58 or,  
6 if residential services are provided to children, a medical facility or  
7 facility for the treatment of alcohol or other substance use disorders  
8 must include, without limitation, a statement that the facility,  
9 hospital, agency, *provider*, program, pool or home is in compliance  
10 with the provisions of NRS 449.115 to 449.125, inclusive, and  
11 449.174.

12 3. Each reapplication for an agency to provide personal care  
13 services in the home, a community health worker pool, a facility for  
14 intermediate care, a facility for skilled nursing, a facility for the care  
15 of adults during the day, a residential facility for groups or a home  
16 for individual residential care must include, without limitation, a  
17 statement that the holder of the license to operate, and the  
18 administrator or other person in charge and employees of, the  
19 facility, agency, pool or home are in compliance with the provisions  
20 of NRS 449.093.

21 4. Each reapplication for a surgical center for ambulatory  
22 patients, facility for the treatment of irreversible renal disease,  
23 facility for hospice care, program of hospice care, hospital, facility  
24 for intermediate care, facility for skilled nursing, agency to provide  
25 personal care services in the home or rural clinic must be  
26 accompanied by the fee prescribed by the State Board of Health  
27 pursuant to NRS 457.240, in addition to the fees imposed pursuant  
28 to NRS 449.050.

29 **Sec. 14.** NRS 449.119 is hereby amended to read as follows:

30 449.119 “Facility, hospital, agency, program or home” means  
31 an agency to provide personal care services in the home, an  
32 employment agency that contracts with persons to provide  
33 nonmedical services related to personal care to elderly persons or  
34 persons with disabilities in the home, an agency to provide nursing  
35 in the home, a community health worker pool, a facility for  
36 intermediate care, a facility for skilled nursing, a provider of  
37 community-based living arrangement services, *a provider of*  
38 *rehabilitative residential mental health care*, a hospital described in  
39 42 U.S.C. § 1395ww(d)(1)(B)(iv), a psychiatric hospital that  
40 provides inpatient services to children, a psychiatric residential  
41 treatment facility, a residential facility for groups, a program of  
42 hospice care, a home for individual residential care, a facility for the  
43 care of adults during the day, a facility for hospice care, a nursing  
44 pool, the distinct part of a hospital which meets the requirements of  
45 a skilled nursing facility or nursing facility pursuant to 42 C.F.R. §



1 483.5, a hospital that provides swing-bed services as described in 42  
2 C.F.R. § 482.58 or, if residential services are provided to children, a  
3 medical facility or facility for the treatment of alcohol or other  
4 substance use disorders.

5 **Sec. 15.** NRS 449.131 is hereby amended to read as follows:

6 449.131 1. Any authorized member or employee of the  
7 Division may enter and inspect any building or premises at any time  
8 to secure compliance with or prevent a violation of any provision of  
9 NRS 449.029 to 449.245, inclusive.

10 2. The State Fire Marshal or a designee of the State Fire  
11 Marshal, which may include a local fire agency that meets an  
12 industry standard accepted by the State Fire Marshal, shall, upon  
13 receiving a request from the Division or a written complaint  
14 concerning compliance with the plans and requirements to respond  
15 to an emergency adopted pursuant to subsection 9 of  
16 NRS 449.0302:

17 (a) Enter and inspect a residential facility for groups or a  
18 building operated by a provider of community-based living  
19 arrangement services *or a provider of rehabilitative residential*  
20 *mental health care* in which such services ~~are~~ *or care is* provided;  
21 and

22 (b) Make recommendations regarding the adoption of plans and  
23 requirements pursuant to subsection 9 of NRS 449.0302,  
24 ↪ to ensure the safety of the residents of the facility or persons  
25 receiving care from the provider, as applicable, in an emergency.

26 3. The Chief Medical Officer or a designee of the Chief  
27 Medical Officer shall enter and inspect at least annually each  
28 building or the premises of a residential facility for groups, ~~and~~  
29 each building operated by a provider of community-based living  
30 arrangement services in which such services are provided *and each*  
31 *building operated by a provider of rehabilitative residential mental*  
32 *health care in which such care is provided* to ensure compliance  
33 with standards for health and sanitation.

34 4. An authorized member or employee of the Division shall  
35 enter and inspect any building or premises operated by a residential  
36 facility for groups, ~~or~~ provider of community-based living  
37 arrangement services *or provider of rehabilitative residential*  
38 *mental health care* within 72 hours after the Division is notified  
39 that a residential facility for groups, ~~or~~ provider of community-  
40 based living arrangement services *or provider of rehabilitative*  
41 *residential mental health care* is operating without a license.

42 **Sec. 16.** NRS 449.134 is hereby amended to read as follows:

43 449.134 A facility for intermediate care, facility for skilled  
44 nursing, residential facility for groups, provider of community-based  
45 living arrangement services, *provider of rehabilitative residential*



1 *mental health care* or home for individual residential care shall  
2 immediately provide notice of a deficiency affecting the health and  
3 safety of a patient discovered during the course of an inspection of  
4 the facility for intermediate care, facility for skilled nursing,  
5 residential facility for groups, provider of community-based living  
6 arrangement services, *provider of rehabilitative residential mental*  
7 *health care* or home for individual residential care conducted by the  
8 Division to:

9 1. A person receiving care at the facility or home or from the  
10 provider, as applicable;

11 2. The parent or legal guardian of the person receiving care at  
12 the facility or home or from the provider, as applicable; or

13 3. Any other natural person designated to receive such notice  
14 by the person receiving care at the facility or home or from the  
15 provider, as applicable, or the parent or guardian of the person.

16 **Sec. 17.** NRS 632.316 is hereby amended to read as follows:  
17 632.316 The provisions of NRS 632.315 do not prohibit:

18 1. Gratuitous nursing by friends or by members of the family  
19 of a patient.

20 2. The incidental care of the sick by domestic servants or  
21 persons primarily employed as housekeepers as long as they do not  
22 practice nursing within the meaning of this chapter.

23 3. Nursing assistance in the case of an emergency.

24 4. The practice of nursing by students enrolled in accredited  
25 schools of nursing or by graduates of those schools or courses  
26 pending the results of the first licensing examination scheduled by  
27 the Board following graduation. A student or graduate may not work  
28 as a nursing assistant unless the student or graduate is certified to  
29 practice as a nursing assistant pursuant to the provisions of this  
30 chapter.

31 5. The practice of nursing in this State by any legally qualified  
32 nurse or nursing assistant of another state whose engagement  
33 requires the nurse or nursing assistant to accompany and care for a  
34 patient temporarily residing in this State during the period of one  
35 such engagement, not to exceed 6 months, if the person does not  
36 represent or hold himself or herself out as a nurse licensed to  
37 practice in this State or as a nursing assistant who holds a certificate  
38 to practice in this State.

39 6. The practice of nursing by any person who is employed by  
40 the United States Government, or any bureau, division or agency  
41 thereof, while in the discharge of his or her official duties in this  
42 State, including, without limitation, providing medical care in a  
43 hospital in accordance with an agreement entered into pursuant to  
44 NRS 449.2455.



1 7. Nonmedical nursing for the care of the sick, with or without  
2 compensation, if done by the adherents of, or in connection with, the  
3 practice of the religious tenets of any well-recognized church or  
4 religious denomination, if that nursing does not amount to the  
5 practice of practical or professional nursing as defined in NRS  
6 632.017 and 632.018, respectively.

7 8. A personal assistant from performing services for a person  
8 with a disability pursuant to NRS 629.091.

9 9. A natural person from providing community-based living  
10 arrangement services if:

11 (a) That person has been issued a license pursuant to chapter 449  
12 of NRS and the regulations adopted pursuant thereto; or

13 (b) That person is employed or retained as an independent  
14 contractor by a partnership, firm, corporation or association, state or  
15 local government or agency thereof that has been issued a license  
16 pursuant to chapter 449 of NRS and the regulations adopted  
17 pursuant thereto.

18 ➤ As used in this subsection, “community-based living arrangement  
19 services” has the meaning ascribed to it in NRS 449.0026.

20 10. A natural person from providing supported living  
21 arrangement services if:

22 (a) That person has been issued a certificate pursuant to NRS  
23 435.3305 to 435.339, inclusive, and the regulations adopted  
24 pursuant to NRS 435.3305 to 435.339, inclusive; or

25 (b) That person is employed or retained as an independent  
26 contractor by a partnership, firm, corporation or association, state or  
27 local government or agency thereof that has been issued a certificate  
28 pursuant to NRS 435.3305 to 435.339, inclusive, and the regulations  
29 adopted pursuant to NRS 435.3305 to 435.339, inclusive.

30 ➤ As used in this subsection, “supported living arrangement  
31 services” has the meaning ascribed to it in NRS 435.3315.

32 11. A natural person from providing jobs and day training  
33 services if:

34 (a) That person has been issued a certificate pursuant to NRS  
35 435.130 to 435.310, inclusive, and the regulations adopted pursuant  
36 to NRS 435.130 to 435.310, inclusive; or

37 (b) That person is employed or retained as an independent  
38 contractor by a partnership, firm, corporation or association, state or  
39 local government or agency thereof that has been issued a certificate  
40 pursuant to NRS 435.130 to 435.310, inclusive, and the regulations  
41 adopted pursuant to NRS 435.130 to 435.310, inclusive.

42 ➤ As used in this subsection, “jobs and day training services” has  
43 the meaning ascribed to it in NRS 435.176.

44 ***12. A natural person from providing rehabilitative residential***  
45 ***mental health care if:***



1 (a) That person has been issued a license pursuant to the  
2 provisions of chapter 449 of NRS and the regulations adopted  
3 pursuant thereto; or

4 (b) That person is employed or retained as an independent  
5 contractor by a partnership, firm, corporation or association, state  
6 or local government or agency thereof that has been issued a  
7 license pursuant to the provisions of chapter 449 of NRS and the  
8 regulations adopted pursuant thereto.

9 ➔ As used in this subsection, “rehabilitative residential mental  
10 health care” has the meaning ascribed to it in section 5 of this act.

11 **Sec. 18.** 1. Notwithstanding the amendatory provisions of  
12 section 8 of this act, a provider of rehabilitative residential mental  
13 health care that is operating on July 1, 2026, may continue to  
14 operate without obtaining a license issued by the Division of Public  
15 and Behavioral Health of the Department of Health and Human  
16 Services until January 1, 2027.

17 2. As used in this section, “rehabilitative residential mental  
18 health care” has the meaning ascribed to it in section 5 of this act.

19 **Sec. 19.** 1. This section becomes effective upon passage and  
20 approval.

21 2. Sections 1 to 18, inclusive, of this act become effective:

22 (a) Upon passage and approval for the purpose of adopting any  
23 regulations and performing any other preparatory administrative  
24 tasks that are necessary to carry out the provisions of this act; and

25 (b) On July 1, 2026, for all other purposes.







