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SECOND 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; making appropriations to and authorizing certain expenditures by the Division of Health Care Financing and Policy of the Department of Health and Human Services; 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. **Section 17.5** of this bill makes appropriations to and authorizes
13 expenditures by the Division of Health Care Financing and Policy of the
14 Department for costs associated with providing the coverage required by **section 1**.

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

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*



1 *Plan for Medicaid that is necessary for the Department to receive*
2 *federal funding to provide the coverage described in subsection 1.*

3 (c) *Fully cooperate in good faith with the Federal Government*
4 *during the application process to satisfy the requirements of the*
5 *Federal Government for obtaining a waiver or amendment*
6 *pursuant to paragraph (b).*

7 3. *As used in this section, “rehabilitative residential mental*
8 *health care” has the meaning ascribed to it in section 5 of this act.*

9 **Sec. 2.** NRS 427A.0292 is hereby amended to read as follows:
10 427A.0292 “Living arrangement services” means:

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

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

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

19 2. Supported living arrangement services, as defined in NRS
20 435.3315, that include 24-hour care ~~+~~; *and*

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

23 **Sec. 3.** NRS 232.320 is hereby amended to read as follows:

24 232.320 1. The Director:

25 (a) Shall appoint, with the consent of the Governor,
26 administrators of the divisions of the Department, who are
27 respectively designated as follows:

28 (1) The Administrator of the Aging and Disability Services
29 Division;

30 (2) The Administrator of the Division of Welfare and
31 Supportive Services;

32 (3) The Administrator of the Division of Child and Family
33 Services;

34 (4) The Administrator of the Division of Health Care
35 Financing and Policy; and

36 (5) The Administrator of the Division of Public and
37 Behavioral Health.

38 (b) Shall administer, through the divisions of the Department,
39 the provisions of chapters 63, 424, 425, 427A, 432A to 442,
40 inclusive, 446 to 450, inclusive, 458A and 656A of NRS, NRS
41 127.220 to 127.310, inclusive, 422.001 to 422.410, inclusive, *and*
42 *section 1 of this act*, 422.580, 432.010 to 432.133, inclusive,
43 432B.6201 to 432B.626, inclusive, 444.002 to 444.430, inclusive,
44 and 445A.010 to 445A.055, inclusive, and all other provisions of
45 law relating to the functions of the divisions of the Department, but



1 is not responsible for the clinical activities of the Division of Public
2 and Behavioral Health or the professional line activities of the other
3 divisions.

4 (c) Shall administer any state program for persons with
5 developmental disabilities established pursuant to the
6 Developmental Disabilities Assistance and Bill of Rights Act of
7 2000, 42 U.S.C. §§ 15001 et seq.

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

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

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

18 (3) Provide for communication and the coordination of those
19 services among nonprofit organizations, agencies of local
20 government, the State and the Federal Government;

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

23 (5) Set forth sufficient information to assist the Department
24 in providing those services and in the planning and budgeting for the
25 future provision of those services; and

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

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

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

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

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

42 439.803 "Health facility" means:

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

45 2. A home operated by **[+]**:



1 (a) A provider of community-based living arrangement services,
2 as defined in NRS 449.0026 ~~{}~~; or

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

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

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

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

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

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

16 449.001 As used in this chapter, unless the context otherwise
17 requires, the words and terms defined in NRS 449.0015 to
18 449.0195, inclusive, *and section 5 of this act* have the meanings
19 ascribed to them in those sections.

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

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

24 ~~{}~~ (a) Provided in the home, for compensation, to persons
25 with mental illness who are served by the Division or any other
26 entity; and

27 ~~{}~~ (b) Designed and coordinated to assist such persons in
28 maximizing their independence.

29 2. *The term does not include rehabilitative residential mental*
30 *health care.*

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

32 449.0045 “Facility for the dependent” includes:

33 1. A facility for the treatment of alcohol or other substance use
34 disorders;

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

36 3. A residential facility for groups;

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

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

39 6. A home for individual residential care;

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

41 8. A provider of community-based living arrangement services
42 ~~{}~~; and

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



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

2 449.0105 “Home for individual residential care” means a home
3 in which a natural person furnishes food, shelter, assistance and
4 limited supervision, for compensation, to not more than two persons
5 with intellectual disabilities or with physical disabilities or who are
6 aged or infirm, unless the persons receiving those services are
7 related within the third degree of consanguinity or affinity to the
8 person providing those services. The term does not include:

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

11 2. A home in which community-based living arrangement
12 services or supported living arrangement services are provided by a
13 provider of such services during any period in which the provider is
14 engaged in providing the services ~~or~~; *or*

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

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

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

24 2. The term does not include:

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

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

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

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

33 (e) A home in which community-based living arrangement
34 services or supported living arrangement services are provided by a
35 provider of such services during any period in which the provider is
36 providing the services ~~or~~; *or*

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

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

40 449.0302 1. The Board shall adopt:

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

44 (b) Regulations governing the licensing of such facilities and
45 programs.



1 (c) Regulations governing the procedure and standards for
2 granting an extension of the time for which a natural person may
3 provide certain care in his or her home without being considered a
4 residential facility for groups pursuant to NRS 449.017. The
5 regulations must require that such grants are effective only if made
6 in writing.

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

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

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

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

22 2. The Board shall adopt separate regulations governing the
23 licensing and operation of:

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

25 (b) Residential facilities for groups,

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

29 3. The Board shall adopt separate regulations for:

30 (a) The licensure of rural hospitals and rural emergency
31 hospitals which take into consideration the unique problems of
32 operating such a facility in a rural area.

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

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

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

43 5. In addition to the training requirements prescribed pursuant
44 to NRS 449.093, the Board shall establish minimum qualifications
45 for administrators and employees of residential facilities for groups.



1 In establishing the qualifications, the Board shall consider the
2 related standards set by nationally recognized organizations which
3 accredit such facilities.

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

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

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

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

16 (1) Addresses possession and assistance in the administration
17 of the medication; and

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

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

24 (e) The employee has successfully completed training and
25 examination approved by the Division regarding the authorized
26 manner of assistance.

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

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

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

40 (1) Except as otherwise provided in subsection 8, contain
41 toilet facilities;

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

43 (3) Are shared with another occupant only upon consent of
44 both occupants.



1 (c) The facility provides personalized care to the residents of the
2 facility and the general approach to operating the facility
3 incorporates these core principles:

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

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

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

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

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

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

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

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

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

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

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

40 (2) Result in more than two residents sharing a toilet facility;
41 or

42 (3) Otherwise impair substantially the purpose of that
43 requirement.

44 9. The Board shall, if it determines necessary, adopt
45 regulations and requirements to ensure that each residential facility



1 for groups and its staff are prepared to respond to an emergency,
2 including, without limitation:

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

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

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

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

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

19 (a) Facilities that only provide a housing and living
20 environment;

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

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

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

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

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

43 (b) Exempt a person licensed or certified pursuant to title 54 of
44 NRS from the requirements prescribed pursuant to paragraph (a) if
45 the Board determines that the person is required to receive training



1 and continuing education substantially equivalent to that prescribed
2 pursuant to that paragraph;

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

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

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

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

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

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

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

39 15. As used in this section:

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

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

43 (2) Licensed as an advanced practice registered nurse
44 pursuant to NRS 632.237.



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

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

4 449.080 1. If, after investigation, the Division finds that the:

5 (a) Applicant is in full compliance with the provisions of NRS
6 449.029 to 449.2428, inclusive;

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

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

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

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

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

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

26 449.089 1. Each license issued pursuant to NRS 449.029 to
27 449.2428, inclusive, expires on December 31 following its issuance
28 and is renewable for 1 year upon reapplication and payment of all
29 fees required pursuant to subsection 4 and NRS 449.050, as
30 applicable, unless the Division finds, after an investigation, that the
31 facility has not:

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

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

38 (c) Conformed to all applicable local zoning regulations.

39 2. Each reapplication for an agency to provide personal care
40 services in the home, an agency to provide nursing in the home, a
41 community health worker pool, a facility for intermediate care, a
42 facility for skilled nursing, a provider of community-based living
43 arrangement services, *a provider of rehabilitative residential*
44 *mental health care*, a hospital described in 42 U.S.C. §
45 1395ww(d)(1)(B)(iv), a psychiatric hospital that provides inpatient



1 services to children, a psychiatric residential treatment facility, a
2 residential facility for groups, a program of hospice care, a home for
3 individual residential care, a facility for the care of adults during the
4 day, a facility for hospice care, a nursing pool, the distinct part of a
5 hospital which meets the requirements of a skilled nursing facility or
6 nursing facility pursuant to 42 C.F.R. § 483.5, a hospital that
7 provides swing-bed services as described in 42 C.F.R. § 482.58 or,
8 if residential services are provided to children, a medical facility or
9 facility for the treatment of alcohol or other substance use disorders
10 must include, without limitation, a statement that the facility,
11 hospital, agency, *provider*, program, pool or home is in compliance
12 with the provisions of NRS 449.115 to 449.125, inclusive, and
13 449.174.

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

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

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

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



1 pool, the distinct part of a hospital which meets the requirements of
2 a skilled nursing facility or nursing facility pursuant to 42 C.F.R. §
3 483.5, a hospital that provides swing-bed services as described in 42
4 C.F.R. § 482.58 or, if residential services are provided to children, a
5 medical facility or facility for the treatment of alcohol or other
6 substance use disorders.

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

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

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

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

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

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

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



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

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

1. A person receiving care at the facility or home or from the provider, as applicable;
2. The parent or legal guardian of the person receiving care at the facility or home or from the provider, as applicable; or
3. Any other natural person designated to receive such notice by the person receiving care at the facility or home or from the provider, as applicable, or the parent or guardian of the person.

Sec. 17. NRS 632.316 is hereby amended to read as follows:

632.316 The provisions of NRS 632.315 do not prohibit:

1. Gratuitous nursing by friends or by members of the family of a patient.
2. The incidental care of the sick by domestic servants or persons primarily employed as housekeepers as long as they do not practice nursing within the meaning of this chapter.
3. Nursing assistance in the case of an emergency.
4. The practice of nursing by students enrolled in accredited schools of nursing or by graduates of those schools or courses pending the results of the first licensing examination scheduled by the Board following graduation. A student or graduate may not work as a nursing assistant unless the student or graduate is certified to practice as a nursing assistant pursuant to the provisions of this chapter.
5. The practice of nursing in this State by any legally qualified nurse or nursing assistant of another state whose engagement requires the nurse or nursing assistant to accompany and care for a patient temporarily residing in this State during the period of one such engagement, not to exceed 6 months, if the person does not represent or hold himself or herself out as a nurse licensed to practice in this State or as a nursing assistant who holds a certificate to practice in this State.
6. The practice of nursing by any person who is employed by the United States Government, or any bureau, division or agency thereof, while in the discharge of his or her official duties in this



1 State, including, without limitation, providing medical care in a
2 hospital in accordance with an agreement entered into pursuant to
3 NRS 449.2455.

4 7. Nonmedical nursing for the care of the sick, with or without
5 compensation, if done by the adherents of, or in connection with, the
6 practice of the religious tenets of any well-recognized church or
7 religious denomination, if that nursing does not amount to the
8 practice of practical or professional nursing as defined in NRS
9 632.017 and 632.018, respectively.

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

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

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

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

21 ↪ As used in this subsection, "community-based living arrangement
22 services" has the meaning ascribed to it in NRS 449.0026.

23 10. A natural person from providing supported living
24 arrangement services if:

25 (a) That person has been issued a certificate pursuant to NRS
26 435.3305 to 435.339, inclusive, and the regulations adopted
27 pursuant to NRS 435.3305 to 435.339, inclusive; or

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

33 ↪ As used in this subsection, "supported living arrangement
34 services" has the meaning ascribed to it in NRS 435.3315.

35 11. A natural person from providing jobs and day training
36 services if:

37 (a) That person has been issued a certificate pursuant to NRS
38 435.130 to 435.310, inclusive, and the regulations adopted pursuant
39 to NRS 435.130 to 435.310, inclusive; or

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



1 ↪ As used in this subsection, “jobs and day training services” has
2 the meaning ascribed to it in NRS 435.176.

3 **12. A natural person from providing rehabilitative residential**
4 **mental health care if:**

5 (a) *That person has been issued a license pursuant to the*
6 *provisions of chapter 449 of NRS and the regulations adopted*
7 *pursuant thereto; or*

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

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

15 **Sec. 17.5.** 1. There is hereby appropriated from the State
16 General Fund to the Division of Health Care Financing and Policy
17 of the Department of Health and Human Services for the costs of
18 providing Medicaid coverage for rehabilitative residential mental
19 health care pursuant to section 1 of this act and computer system
20 upgrades associated with the requirements of section 1 of this act the
21 following sums:

22	For the Fiscal Year 2025-2026.....	\$30,800
23	For the Fiscal Year 2026-2027.....	\$551,899

24 2. Expenditure of the following sums not appropriated from the
25 State General Fund or the State Highway Fund is hereby authorized
26 by the Division of Health Care Financing and Policy of the
27 Department of Health and Human Services for the same purposes as
28 set forth in subsection 1:

29	For the Fiscal Year 2025-2026.....	\$92,400
30	For the Fiscal Year 2026-2027.....	\$1,639,954

31 3. Any balance of the sums appropriated by subsection 1
32 remaining at the end of the respective fiscal years must not be
33 committed for expenditure after June 30 of the respective fiscal
34 years by the entity to which the appropriation is made or any entity
35 to which money from the appropriation is granted or otherwise
36 transferred in any manner, and any portion of the appropriated
37 money remaining must not be spent for any purpose after
38 September 18, 2026, and September 17, 2027, respectively, by
39 either the entity to which the money was appropriated or the entity
40 to which the money was subsequently granted or transferred, and
41 must be reverted to the State General Fund on or before
42 September 18, 2026, and September 17, 2027, respectively.

43 **Sec. 18.** 1. Notwithstanding the amendatory provisions of
44 section 8 of this act, a provider of rehabilitative residential mental
45 health care that is operating on July 1, 2026, may continue to



1 operate without obtaining a license issued by the Division of Public
2 and Behavioral Health of the Department of Health and Human
3 Services until January 1, 2027.

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

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

8 2. Section 17.5 of this act becomes effective on July 1, 2025.

9 3. Sections 1 to 17, inclusive, and section 18 of this act become
10 effective:

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

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



