

**Amendment No. 454**

Assembly Amendment to Assembly Bill No. 514

(BDR 38-350)

**Proposed by:** Assembly Committee on Health and Human Services

**Amends:** Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

Adoption of this amendment will ADD a 2/3s majority vote requirement for final passage of A.B. 514 (§ 8 & NRS 449.050).

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

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

EWR/BJF



Date: 4/17/2025

A.B. No. 514—Provides for Medicaid coverage of certain mental health services.  
(BDR 38-350)





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—~~[Provides for Medicaid coverage of certain mental health services.]~~  
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 ~~[Medicaid;]~~ mental health; requiring Medicaid to provide coverage for ~~[certain community-based living arrangement services;]~~ 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 administer  
2 Medicaid. (NRS 422.270) **Section 1** of this bill requires the Director of the Department to  
3 include under Medicaid coverage for rehabilitative residential mental health care provided  
4 ~~[through a therapeutic group home]~~ to certain recipients of Medicaid. ~~[who have serious~~  
5 ~~mental illnesses.]~~ **Section** ~~[1]~~ 5 of this bill defines the term ~~[“therapeutic group home”]~~  
6 “rehabilitative residential mental health care” to mean ~~[a provider of community-based~~  
7 ~~living arrangement services that supports independent, community-based living for persons~~  
8 ~~with serious mental illnesses.]~~ community-based, medically monitored care provided in a  
9 residential setting that uses established rehabilitative principles to achieve certain goals  
10 relating to mental health. Section 6 of this bill applies that definition to provisions of  
11 existing law governing medical facilities and other related entities. Section ~~[2]~~ 3 of this  
12 bill makes a conforming change to require the Director to administer the provisions of **section**  
13 **1** in the same manner as the provisions of existing law governing the State Plan for Medicaid.  
14 Existing law provides for the licensure and regulation by the Division of Public and  
15 Behavioral Health of the Department of community-based living arrangement services,  
16 which are flexible, individualized services that are: (1) provided in the home, for  
17 compensation, to persons with mental illness; and (2) designed and coordinated to assist  
18 such persons in maximizing their independence. (NRS 449.0026, 449.0045, 449.030,

19 449.0302) Sections 2 and 4-16 of this bill similarly provide for the licensure and  
 20 regulation of providers of rehabilitative residential mental health care. Section 8  
 21 requires such a provider to obtain a license as a facility for the dependent and comply  
 22 with other requirements applicable to such facilities. Sections 7, 9 and 10 clarify that  
 23 such a provider is separate from certain other types of facilities for the dependent.  
 24 Section 11 requires the State Board of Health to adopt specific regulations governing  
 25 providers of rehabilitative residential mental health care. Sections 12 and 15 provide for  
 26 the inspection of buildings operated by such providers. Sections 13 and 14: (1) require  
 27 periodic background investigations of the personnel of a provider of rehabilitative  
 28 residential mental health care; and (2) authorize the suspension or revocation of the  
 29 license of such a provider if the provider or an employee of the provider has been  
 30 convicted of certain crimes. (NRS 449.174) Section 16 requires a provider of  
 31 rehabilitative residential mental health care to notify a person receiving such care from  
 32 the 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 patient.  
 34 Section 4 requires such a provider to comply with provisions governing the reporting  
 35 and investigation of sentinel events and the designation of patient safety officers. (NRS  
 36 439.800-439.890) Section 2 adds providers of rehabilitative residential mental health care  
 37 to the list of facilities that the State Long-Term Care Ombudsman is required to  
 38 investigate and assist. (NRS 427A.125-427A.165) Section 17 of this bill provides that a  
 39 person is not required to be a licensed nurse to provide rehabilitative residential mental  
 40 health care if the person is licensed pursuant to the provisions of this bill. Operating as a  
 41 provider of rehabilitative residential mental health care without a license would be a  
 42 misdemeanor. (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 thereto a new  
 2 section to read as follows:

3 *1. To the extent that federal financial participation is available, the Director*  
 4 *shall include under Medicaid coverage for rehabilitative residential mental*  
 5 *health care, ~~provided through a therapeutic group home to recipients of~~*  
 6 *~~Medicaid who have serious mental illnesses.~~ Such coverage is not required to*  
 7 *pay the costs of room and board for a recipient of rehabilitative residential*  
 8 *mental health care.*

9 *2. The Department shall:*

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

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

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

18 *3. As used in this section ~~f~~*

19 ~~*(a) "Community-based living arrangement services" has the meaning*~~  
 20 ~~*ascribed to it in NRS 449.0026.*~~

21 ~~*(b) "Therapeutic group home" means a provider of community-based living*~~  
 22 ~~*arrangement services that supports independent, community-based living for*~~  
 23 ~~*persons with serious mental illnesses.*~~, *rehabilitative residential mental health*  
 24 *care" has the meaning ascribed to it in section 5 of this act.*

25 *Sec. 2. NRS 427A.0292 is hereby amended to read as follows:*

26 427A.0292 "Living arrangement services" means:

1 1. Community-based living arrangement services, as defined in NRS  
 2 449.0026, that include:

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

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

8 2. Supported living arrangement services, as defined in NRS 435.3315, that  
 9 include 24-hour care ~~and~~ and

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

12 ~~Sec. 2~~ **Sec. 3.** NRS 232.320 is hereby amended to read as follows:

13 232.320 1. The Director:

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

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

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

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

19 (4) The Administrator of the Division of Health Care Financing and  
 20 Policy; and

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

22 (b) Shall administer, through the divisions of the Department, the provisions of  
 23 chapters 63, 424, 425, 427A, 432A to 442, inclusive, 446 to 450, inclusive, 458A  
 24 and 656A of NRS, NRS 127.220 to 127.310, inclusive, 422.001 to 422.410,  
 25 inclusive, and section 1 of this act, 422.580, 432.010 to 432.133, inclusive,  
 26 432B.6201 to 432B.626, inclusive, 444.002 to 444.430, inclusive, and 445A.010 to  
 27 445A.055, inclusive, and all other provisions of law relating to the functions of the  
 28 divisions of the Department, but is not responsible for the clinical activities of the  
 29 Division of Public and Behavioral Health or the professional line activities of the  
 30 other divisions.

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

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

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

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

43 (3) Provide for communication and the coordination of those services  
 44 among nonprofit organizations, agencies of local government, the State and the  
 45 Federal Government;

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

48 (5) Set forth sufficient information to assist the Department in providing  
 49 those services and in the planning and budgeting for the future provision of those  
 50 services; and

51 (6) Contain any other information necessary for the Department to  
 52 communicate effectively with the Federal Government concerning demographic

1 trends, formulas for the distribution of federal money and any need for the  
 2 modification of programs administered by the Department.

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

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

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

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

13 439.803 "Health facility" means:

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

15 2. A home operated by ~~§~~;

16 (a) A provider of community-based living arrangement services, as defined in  
 17 NRS 449.0026 ~~§~~; or

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

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

22 "Rehabilitative residential mental health care" means community-based,  
 23 medically monitored care provided in a residential setting that uses established  
 24 rehabilitative principles to:

25 1. Promote the recovery of the client with a mental illness or other  
 26 behavioral health condition; and

27 2. Assist the client in achieving psychiatric stability, personal and emotional  
 28 adjustment, self-sufficiency and other skills necessary to transition to a more  
 29 independent setting.

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

31 449.001 As used in this chapter, unless the context otherwise requires, the  
 32 words and terms defined in NRS 449.0015 to 449.0195, inclusive, and section 5 of  
 33 this act have the meanings ascribed to them in those sections.

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

35 449.0026 1. "Community-based living arrangement services" means  
 36 flexible, individualized services, including, without limitation, training and  
 37 habilitation services, that are:

38 ~~§~~ (a) Provided in the home, for compensation, to persons with mental illness  
 39 who are served by the Division or any other entity; and

40 ~~§~~ (b) Designed and coordinated to assist such persons in maximizing their  
 41 independence.

42 2. The term does not include rehabilitative residential mental health care.

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

44 449.0045 "Facility for the dependent" includes:

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

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

47 3. A residential facility for groups;

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

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

50 6. A home for individual residential care;

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

52 8. A provider of community-based living arrangement services ~~§~~; and

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

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

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

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

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

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

21        2. The term does not include:

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

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

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

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

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

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

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

35        449.0302 1. The Board shall adopt:

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

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

40        (c) Regulations governing the procedure and standards for granting an  
41 extension of the time for which a natural person may provide certain care in his or  
42 her home without being considered a residential facility for groups pursuant to NRS  
43 449.017. The regulations must require that such grants are effective only if made in  
44 writing.

45        (d) Regulations establishing a procedure for the indemnification by the  
46 Division, from the amount of any surety bond or other obligation filed or deposited  
47 by a facility for refractive surgery pursuant to NRS 449.068 or 449.069, of a patient  
48 of the facility who has sustained any damages as a result of the bankruptcy of or  
49 any breach of contract by the facility.

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

52        (f) Regulations requiring a hospital or independent center for emergency  
53 medical care to provide training to each employee who provides care to victims of

1 sexual assault or attempted sexual assault concerning appropriate care for such  
2 persons, including, without limitation, training concerning the requirements of NRS  
3 449.1885.

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

6 2. The Board shall adopt separate regulations governing the licensing and  
7 operation of:

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

9 (b) Residential facilities for groups,

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

12 3. The Board shall adopt separate regulations for:

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

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

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

19 4. The Board shall require that the practices and policies of each medical  
20 facility or facility for the dependent provide adequately for the protection of the  
21 health, safety and physical, moral and mental well-being of each person  
22 accommodated in the facility.

23 5. In addition to the training requirements prescribed pursuant to NRS  
24 449.093, the Board shall establish minimum qualifications for administrators and  
25 employees of residential facilities for groups. In establishing the qualifications, the  
26 Board shall consider the related standards set by nationally recognized  
27 organizations which accredit such facilities.

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

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

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

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

39 (1) Addresses possession and assistance in the administration of the  
40 medication; and

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

44 (d) Except as otherwise authorized by the regulations adopted pursuant to NRS  
45 449.0304, the prescribed medication is not administered by injection or  
46 intravenously.

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

49 7. The Board shall adopt separate regulations governing the licensing and  
50 operation of residential facilities for groups which provide assisted living services.  
51 The Board shall not allow the licensing of a facility as a residential facility for  
52 groups which provides assisted living services and a residential facility for groups  
53 shall not claim that it provides "assisted living services" unless:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

18 (a) Except as otherwise provided in paragraph (b), require a natural person  
19 responsible for the operation of a provider of community-based living arrangement  
20 services and each employee of a provider of community-based living arrangement  
21 services who supervises or provides support to recipients of community-based  
22 living arrangement services to complete training concerning the provision of  
23 community-based living arrangement services to persons with mental illness and  
24 continuing education concerning the particular population served by the provider;

25 (b) Exempt a person licensed or certified pursuant to title 54 of NRS from the  
26 requirements prescribed pursuant to paragraph (a) if the Board determines that the  
27 person is required to receive training and continuing education substantially  
28 equivalent to that prescribed pursuant to that paragraph;

29 (c) Require a natural person responsible for the operation of a provider of  
30 community-based living arrangement services to receive training concerning the  
31 provisions of title 53 of NRS applicable to the provision of community-based living  
32 arrangement services; and

33 (d) Require an applicant for a license to provide community-based living  
34 arrangement services to post a surety bond in an amount equal to the operating  
35 expenses of the applicant for 2 months, place that amount in escrow or take another  
36 action prescribed by the Division to ensure that, if the applicant becomes insolvent,  
37 recipients of community-based living arrangement services from the applicant may  
38 continue to receive community-based living arrangement services for 2 months at  
39 the expense of the applicant.

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

42 (a) Align with the standards established by the American Association of Birth  
43 Centers, or its successor organization, the accrediting body of the Commission for  
44 the Accreditation of Birth Centers, or its successor organization, or another  
45 nationally recognized organization for accrediting freestanding birthing centers; and

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

48 13. If the regulations adopted pursuant to this section require a physical  
49 examination to be performed on a patient or the medical history of a patient to be  
50 obtained before or after the patient is admitted to a hospital, those regulations must  
51 authorize a certified nurse-midwife to perform such a physical examination or  
52 obtain such a medical history before or after a patient is admitted to a hospital for  
53 the purpose of giving birth.

1           14. *The Board shall adopt regulations governing the licensing and*  
2 *operation of providers of rehabilitative residential mental health care, which*  
3 *must include, without limitation, separate requirements for providers providing*  
4 *such care to minors and providers providing such care to adults.*

5           15. As used in this section:

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

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

9               (2) Licensed as an advanced practice registered nurse pursuant to NRS  
10 632.237.

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

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

14           449.080 1. If, after investigation, the Division finds that the:

15               (a) Applicant is in full compliance with the provisions of NRS 449.029 to  
16 449.2428, inclusive;

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

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

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

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

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

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

33           449.089 1. Each license issued pursuant to NRS 449.029 to 449.2428,  
34 inclusive, expires on December 31 following its issuance and is renewable for 1  
35 year upon reapplication and payment of all fees required pursuant to subsection 4  
36 and NRS 449.050, as applicable, unless the Division finds, after an investigation,  
37 that the facility has not:

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

40               (b) Obtained the approval of the Director of the Department of Health and  
41 Human Services before undertaking a project, if such approval is required by NRS  
42 439A.100 or 439A.102; or

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

44           2. Each reapplication for an agency to provide personal care services in the  
45 home, an agency to provide nursing in the home, a community health worker pool,  
46 a facility for intermediate care, a facility for skilled nursing, a provider of  
47 community-based living arrangement services, *a provider of rehabilitative*  
48 *residential mental health care,* a hospital described in 42 U.S.C. §  
49 1395ww(d)(1)(B)(iv), a psychiatric hospital that provides inpatient services to  
50 children, a psychiatric residential treatment facility, a residential facility for groups,  
51 a program of hospice care, a home for individual residential care, a facility for the  
52 care of adults during the day, a facility for hospice care, a nursing pool, the distinct  
53 part of a hospital which meets the requirements of a skilled nursing facility or

1 nursing facility pursuant to 42 C.F.R. § 483.5, a hospital that provides swing-bed  
2 services as described in 42 C.F.R. § 482.58 or, if residential services are provided  
3 to children, a medical facility or facility for the treatment of alcohol or other  
4 substance use disorders must include, without limitation, a statement that the  
5 facility, hospital, agency, provider, program, pool or home is in compliance with  
6 the provisions of NRS 449.115 to 449.125, inclusive, and 449.174.

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

14 4. Each reapplication for a surgical center for ambulatory patients, facility for  
15 the treatment of irreversible renal disease, facility for hospice care, program of  
16 hospice care, hospital, facility for intermediate care, facility for skilled nursing,  
17 agency to provide personal care services in the home or rural clinic must be  
18 accompanied by the fee prescribed by the State Board of Health pursuant to NRS  
19 457.240, in addition to the fees imposed pursuant to NRS 449.050.

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

21 449.119 “Facility, hospital, agency, program or home” means an agency to  
22 provide personal care services in the home, an employment agency that contracts  
23 with persons to provide nonmedical services related to personal care to elderly  
24 persons or persons with disabilities in the home, an agency to provide nursing in the  
25 home, a community health worker pool, a facility for intermediate care, a facility  
26 for skilled nursing, a provider of community-based living arrangement services, a  
27 provider of rehabilitative residential mental health care, a hospital described in 42  
28 U.S.C. § 1395ww(d)(1)(B)(iv), a psychiatric hospital that provides inpatient  
29 services to children, a psychiatric residential treatment facility, a residential facility  
30 for groups, a program of hospice care, a home for individual residential care, a  
31 facility for the care of adults during the day, a facility for hospice care, a nursing  
32 pool, the distinct part of a hospital which meets the requirements of a skilled  
33 nursing facility or nursing facility pursuant to 42 C.F.R. § 483.5, a hospital that  
34 provides swing-bed services as described in 42 C.F.R. § 482.58 or, if residential  
35 services are provided to children, a medical facility or facility for the treatment of  
36 alcohol or other substance use disorders.

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

38 449.131 1. Any authorized member or employee of the Division may enter  
39 and inspect any building or premises at any time to secure compliance with or  
40 prevent a violation of any provision of NRS 449.029 to 449.245, inclusive.

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

46 (a) Enter and inspect a residential facility for groups or a building operated by  
47 a provider of community-based living arrangement services or a provider of  
48 rehabilitative residential mental health care in which such services ~~are~~ or care is  
49 provided; and

50 (b) Make recommendations regarding the adoption of plans and requirements  
51 pursuant to subsection 9 of NRS 449.0302,

52 to ensure the safety of the residents of the facility or persons receiving care from  
53 the provider, as applicable, in an emergency.

1           3. The Chief Medical Officer or a designee of the Chief Medical Officer shall  
2 enter and inspect at least annually each building or the premises of a residential  
3 facility for groups, ~~and~~ each building operated by a provider of community-based  
4 living arrangement services in which such services are provided and each building  
5 operated by a provider of rehabilitative residential mental health care in which  
6 such care is provided to ensure compliance with standards for health and  
7 sanitation.

8           4. An authorized member or employee of the Division shall enter and inspect  
9 any building or premises operated by a residential facility for groups, ~~or~~ provider  
10 of community-based living arrangement services or provider of rehabilitative  
11 residential mental health care within 72 hours after the Division is notified that a  
12 residential facility for groups, ~~or~~ provider of community-based living  
13 arrangement services or provider of rehabilitative residential mental health care  
14 operating without a license.

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

16       449.134 A facility for intermediate care, facility for skilled nursing,  
17 residential facility for groups, provider of community-based living arrangement  
18 services, provider of rehabilitative residential mental health care or home for  
19 individual residential care shall immediately provide notice of a deficiency  
20 affecting the health and safety of a patient discovered during the course of an  
21 inspection of the facility for intermediate care, facility for skilled nursing,  
22 residential facility for groups, provider of community-based living arrangement  
23 services, provider of rehabilitative residential mental health care or home for  
24 individual residential care conducted by the Division to:

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

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

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

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

33       632.316 The provisions of NRS 632.315 do not prohibit:

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

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

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

39           4. The practice of nursing by students enrolled in accredited schools of  
40 nursing or by graduates of those schools or courses pending the results of the first  
41 licensing examination scheduled by the Board following graduation. A student or  
42 graduate may not work as a nursing assistant unless the student or graduate is  
43 certified to practice as a nursing assistant pursuant to the provisions of this chapter.

44           5. The practice of nursing in this State by any legally qualified nurse or  
45 nursing assistant of another state whose engagement requires the nurse or nursing  
46 assistant to accompany and care for a patient temporarily residing in this State  
47 during the period of one such engagement, not to exceed 6 months, if the person  
48 does not represent or hold himself or herself out as a nurse licensed to practice in  
49 this State or as a nursing assistant who holds a certificate to practice in this State.

50           6. The practice of nursing by any person who is employed by the United  
51 States Government, or any bureau, division or agency thereof, while in the  
52 discharge of his or her official duties in this State, including, without limitation,

1 providing medical care in a hospital in accordance with an agreement entered into  
2 pursuant to NRS 449.2455.

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

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

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

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

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

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

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

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

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

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

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

32 (a) That person has been issued a certificate pursuant to NRS 435.130 to  
33 435.310, inclusive, and the regulations adopted pursuant to NRS 435.130 to  
34 435.310, inclusive; or

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

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

42 12. A natural person from providing rehabilitative residential mental health  
43 care if:

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

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

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

52 Sec. 18. 1. Notwithstanding the amendatory provisions of section 8 of  
53 this act, a provider of rehabilitative residential mental health care that is

1 operating on July 1, 2026, may continue to operate without obtaining a license  
2 issued by the Division of Public and Behavioral Health of the Department of  
3 Health and Human Services until January 1, 2027.

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

6 ~~Sec. 21~~ *Sec. 19.* 1. This section becomes effective upon passage and  
7 approval.

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

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

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