SENATE BILL NO. 57–COMMITTEE ON HEALTH AND HUMAN SERVICES

(ON BEHALF OF THE NORTHERN REGIONAL BEHAVIORAL HEALTH POLICY BOARD)

PREFILED NOVEMBER 12, 2026

Referred to Committee on Health and Human Services

SUMMARY—Revises provisions relating to mental health crises. (BDR 39-495)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: May have Fiscal Impact.
Effect on the State Highway Fund: No.

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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; clarifying the conditions under which a person may be subject to certain involuntary mental health treatment; authorizing certain additional providers of behavioral health care to complete certain certificates relating to a mental health crisis hold and the emergency admission of a person to a mental health facility or hospital; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes: (1) the placement of a person on a mental health crisis hold if there is probable cause to believe that the person is a person in a mental health crisis; (2) the emergency admission of a person to a mental health facility or hospital if the person has been placed on a mental health crisis hold and certain providers of health care determine that the person is a person in a mental health crisis; and (3) a court to order a person in a mental health crisis to be admitted to a mental health facility or assisted outpatient treatment on a long-term basis. (NRS 433A.145-433A.345) Existing law defines "person in a mental health crisis" to mean any person: (1) who has a mental illness; and (2) whose capacity to exercise self-control, judgment and discretion in the conduct of the person's affairs and social relations or to care for his or her personal needs is diminished, as a result of the mental illness, to the extent that the person presents a substantial likelihood of serious harm to himself or herself or others. Existing law clarifies that a person whose capacity is diminished by epilepsy, intellectual disability, dementia,

delirium, brief periods of intoxication caused by alcohol or drugs, or dependence upon or addiction to alcohol or other substances is not a person in a mental health crisis unless a diagnosable mental illness is also present which contributes to the diminished capacity of the person. (NRS 433A.0175) **Section 1** of this bill further clarifies that a person may be determined to be a person in a mental health crisis if the person's capacity is diminished by both: (1) a mental illness; and (2) epilepsy, intellectual disability, dementia, delirium, brief periods of intoxication caused by alcohol or drugs, or dependence upon or addiction to alcohol or other substances. **Section 1** thus clarifies that such a person is subject to placement on a mental health crisis hold, emergency admission and involuntary court-ordered admission or assisted outpatient treatment.

Existing law establishes certain requirements for a public or private mental health facility or hospital to admit a person who has been placed on a mental health crisis hold under an emergency admission, including the completion of a certificate by certain providers of health care stating that the provider examined the person and has concluded that the person is a person in a mental health crisis. (NRS 433A.162, 433A.170) Existing law also authorizes certain licensed physicians to release a person from a mental health crisis hold upon the completion of a certificate by certain providers of health care stating that the provider examined the person and has concluded that the person is not a person in a mental health crisis. (NRS 433A.195) **Sections 2-4** of this bill additionally authorize clinical professional counselors and marriage and family therapists with certain psychiatric training and experience to complete such certificates. **Section 5** of this bill makes conforming changes to subject clinical professional counselors and marriage and family therapists to certain existing requirements and limitations relating to such certificates.

Section 6 of this bill requires the Board of Examiners for Marriage and Family Therapists and Clinical Professional Counselors to adopt regulations prescribing the psychiatric training and experience necessary before a clinical professional counselor or marriage and family therapist may complete such certificates.

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

Section 1. NRS 433A.0175 is hereby amended to read as follows:

433A.0175 1. "Person in a mental health crisis" means any person:

(a) Who has a mental illness; and

(b) Whose capacity to exercise self-control, judgment and discretion in the conduct of the person's affairs and social relations or to care for his or her personal needs is diminished, as a result of the mental illness, to the extent that the person presents a substantial likelihood of serious harm to himself or herself or others, as determined pursuant to NRS 433A.0195.

2. The term does not include any person in whom that capacity is diminished by epilepsy, intellectual disability, dementia, delirium, brief periods of intoxication caused by alcohol or drugs, or dependence upon or addiction to alcohol or other substances, unless a mental illness that can be diagnosed is also present which

contributes to the diminished capacity of the person. ***The provisions of this subsection do not preclude a determination that a person who satisfies the conditions set forth in subsection 1 is a person in a mental health crisis where the capacity of the person is diminished by both:***

(a) A mental illness; and

(b) Epilepsy, intellectual disability, dementia, delirium, brief periods of intoxication caused by alcohol or drugs, or dependence upon or addiction to alcohol or other substances.

Sec. 2. NRS 433A.162 is hereby amended to read as follows:

433A.162 1. A public or private mental health facility or hospital may admit a person who has been placed on a mental health crisis hold under an emergency admission if:

(a) After conducting an examination pursuant to NRS 433A.165, a physician, physician assistant or advanced practice registered nurse determines that the person does not have a medical condition, other than a psychiatric condition, which requires immediate treatment;

(b) A psychologist, a physician, a physician assistant under the supervision of a psychiatrist, a clinical social worker who has the psychiatric training and experience prescribed by the Board of Examiners for Social Workers pursuant to NRS 641B.160 ***, a clinical professional counselor or marriage and family therapist who has the psychiatric training and experience prescribed by the Board of Examiners for Marriage and Family Therapists and Clinical Professional Counselors pursuant to NRS 641A.160*** or an advanced practice registered nurse who has the psychiatric training and experience prescribed by the State Board of Nursing pursuant to NRS 632.120, who is employed by the public or private mental health facility or hospital completes a certificate pursuant to NRS 433A.170;

(c) A psychiatrist or a psychologist or, if a psychiatrist or a psychologist is not available, a physician or an advanced practice registered nurse who has the training and experience prescribed by the State Board of Nursing pursuant to NRS 632.120, evaluates the person at the time of admission and determines that the person is a person in a mental health crisis; and

(d) A psychiatrist approves the admission.

2. The provisions of subsections 2 and 3 of NRS 433A.150 continue to apply to a person who is admitted to a public or private mental health facility or hospital under an emergency admission pursuant to this section.

Sec. 3. NRS 433A.170 is hereby amended to read as follows:

433A.170 Except as otherwise provided in this section, the administrative officer of a facility operated by the Division or of any

other public or private mental health facility or hospital shall not accept a person for an emergency admission under NRS 433A.162 unless a psychologist, a physician, a physician assistant under the supervision of a psychiatrist, a clinical social worker who has the psychiatric training and experience prescribed by the Board of Examiners for Social Workers pursuant to NRS 641B.160 ***, a clinical professional counselor or marriage and family therapist who has the psychiatric training and experience prescribed by the Board of Examiners for Marriage and Family Therapists and Clinical Professional Counselors pursuant to NRS 641A.160*** or an advanced practice registered nurse who has the psychiatric training and experience prescribed by the State Board of Nursing pursuant to NRS 632.120 completes a certificate stating that he or she has examined the person alleged to be a person in a mental health crisis and that he or she has concluded that the person is a person in a mental health crisis. The certificate required by this section may be obtained from a psychologist, physician, physician assistant, clinical social worker ***, clinical professional counselor, marriage and family therapist*** or advanced practice registered nurse who is employed by the public or private mental health facility or hospital to which the person alleged to be a person in a mental health crisis is to be admitted.

Sec. 4. NRS 433A.195 is hereby amended to read as follows:

433A.195 1. A licensed physician on the medical staff of a facility operated by the Division or of any other public or private mental health facility or hospital may release a person from a mental health crisis hold upon completion of a certificate which meets the requirements of NRS 433A.197 signed by a licensed physician on the medical staff of the facility or hospital, a physician assistant under the supervision of a psychiatrist, ***a*** psychologist, a clinical social worker who has the psychiatric training and experience prescribed by the Board of Examiners for Social Workers pursuant to NRS 641B.160 ***, a clinical professional counselor or marriage and family therapist who has the psychiatric training and experience prescribed by the Board of Examiners for Marriage and Family Therapists and Clinical Professional Counselors pursuant to NRS 641A.160*** or an advanced practice registered nurse who has the psychiatric training and experience prescribed by the State Board of Nursing pursuant to NRS 632.120 stating that he or she has personally observed and examined the person and that he or she has concluded that the person is not a person in a mental health crisis.

2. A psychologist, a physician, a physician assistant under the supervision of a psychiatrist, a clinical social worker who has the psychiatric training and experience prescribed by the Board of

Examiners for Social Workers pursuant to NRS 641B.160 ***, a clinical professional counselor or marriage and family therapist who has the psychiatric training and experience prescribed by the Board of Examiners for Marriage and Family Therapists and Clinical Professional Counselors pursuant to NRS 641A.160*** or an advanced practice registered nurse who has the psychiatric training and experience prescribed by the State Board of Nursing pursuant to NRS 632.120 on the medical staff of a facility operated by the Division or of any other public or private mental health facility or hospital who has personally assessed an unemancipated person who is less than 18 years of age after the person was placed on a mental health crisis hold may release the person from the hold if the parent or guardian of the person agrees to treatment or accepts physical custody of the person.

Sec. 5. NRS 433A.197 is hereby amended to read as follows:

433A.197 1. A form or certificate authorized under subsection 1 of NRS 433A.160 or NRS 433A.170 or 433A.195 must not be accepted or considered if made by a psychologist, physician, physician assistant, clinical social worker ***, clinical professional counselor, marriage and family therapist*** or advanced practice registered nurse who is related by blood or marriage within the second degree of consanguinity or affinity to the person alleged to be a person in a mental health crisis, or who is financially interested in the facility in which the person alleged to be a person in a mental health crisis is to be detained.

2. An application or certificate of any examining person authorized under NRS 433A.170 must not be considered unless it is based on personal observation and examination of the person alleged to be a person in a mental health crisis made by such examining person not more than 72 hours prior to the making of the application or certificate. The certificate required pursuant to NRS 433A.170 must set forth in detail the facts and reasons on which the examining person based his or her opinions and conclusions.

3. A certificate authorized pursuant to NRS 433A.195 must not be considered unless it is based on personal observation and examination of the person alleged to be a person in a mental health crisis made by the examining physician, physician assistant, psychologist, clinical social worker ***, clinical professional counselor, marriage and family therapist*** or advanced practice registered nurse. The certificate authorized pursuant to NRS 433A.195 must describe in detail the facts and reasons on which the examining physician, physician assistant, psychologist, clinical social worker ***, clinical professional counselor, marriage and family therapist*** or advanced practice registered nurse based his or her opinions and conclusions.

Sec. 6. NRS 641A.160 is hereby amended to read as follows:

641A.160 1. The Board shall adopt regulations not inconsistent with the provisions of this chapter governing its procedure, the examination and licensing of applicants, the granting, refusal, revocation or suspension of licenses, and the practice of marriage and family therapy and the practice of clinical professional counseling as those practices apply to this chapter.

2. The regulations adopted pursuant to subsection 1 must:

(a) Prescribe uniform standards concerning the locations at which interns provide services;

(b) Authorize the remote supervision, including, without limitation, electronic supervision, of interns working at remote sites and prescribe standards concerning such remote supervision; ~~[and]~~

(c) Prescribe a manner by which the qualifications for the issuance or renewal of a license under the provisions of this chapter will be made available to the public such that those qualifications are clearly defined and easily understood ~~[.]~~ ***; and***

(d) Establish reasonable standards for the psychiatric training and experience necessary for a clinical professional counselor and a marriage and family therapist to be authorized to make the certifications described in NRS 433A.162, 433A.170 and 433A.195.

3. On the date that the Board gives notice pursuant to NRS 233B.060 of its intent to adopt, amend or repeal a regulation, the Board shall submit the regulation to the Commission on Behavioral Health for review. The Commission shall review the regulation and make recommendations to the Board concerning the advisability of adopting, amending or repealing the regulation and any changes that the Commission deems advisable.

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

2. Sections 1 to 6, inclusive, of this act become effective:

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

(b) On October 1, 2027, for all other purposes.

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