

PROPOSED REGULATION OF THE  
DEPARTMENT OF HEALTH AND HUMAN SERVICES

LCB FILE NO. R084-171

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by the agency submitted on 08/28/2017

NAC 439.XXX

Section 1. Reporting of personal and statistical information of persons in temporary confinement prior to adjudication or committed by process of law as allowed in Nevada Revised Statute (NRS) 439.230.

1. The director of any jails, correctional institutions and other institutions performing similar functions, including, without limitation, any facility for the detention of children is required to make a report of personal and statistical information to the Chief Medical Officer or their designee.
2. The report must be provided monthly in an approved electronic format by the 1<sup>st</sup> of each month and contain a minimum of the following information:
  - a. Demographics, as available and applicable
    - i. Individual identification number
    - ii. Facility Identification Number
    - iii. Last Name
    - iv. First Name
    - v. Date of Birth
    - vi. Social Security Number
    - vii. Race
    - viii. Ethnicity
    - ix. Sex
    - x. Citizenship Status
    - xi. Military Status
    - xii. Children
    - xiii. Gang Affiliation
    - xiv. Religious Affiliation
    - xv. Education level
    - xvi. Occupation
    - xvii. First Language
    - xviii. State of residence
    - xix. County of residence
    - xx. Zip Code of residence
    - xxi. Past states of residence
  - b. Criminal Justice Information, as available and applicable
    - i. Identifiers related to the Booking (booking number, FBI number, SID number, etc. as applicable)
    - ii. Booking Date
    - iii. Location of booking (state, address, zip)
    - iv. Arrest Information including but not limited to class and severity of the crime
    - v. Charge Information (including but not limited to exact, literal and description of the charges, information related to counts, etc.)
    - vi. Sentence information including but not limited to arrest/booking date, release date, etc.
  - c. Medical and Behavioral Health Records, as available and applicable

- i. Medical and Behavioral Health History (prior to incarceration)
  - 1. Information related to Medical/Clinical visits, including but not limited to the following as available
    - a. Visit dates
    - b. Vital Signs
    - c. Diagnoses, including ICD-10 code
    - d. Laboratory or Radiological Tests
    - e. Treatments Provided
    - f. Pharmaceuticals/Medications
    - g. Allergies
    - h. Immunization Status
    - i. Progress Notes
- ii. Medical and Behavioral Health History (during incarceration)
  - 1. Information related to Medical/Clinical visits, including but not limited to the following as available
    - a. Visit dates
    - b. Vital Signs
    - c. Diagnoses, including ICD-10 code
    - d. Laboratory or Radiological Tests
    - e. Treatments Provided
    - f. Pharmaceuticals/Medications
    - g. Allergies
    - h. Immunization Status
    - i. Progress Notes

Section 2. Access to and confidentiality of information in system.

- 1. The Chief Medical Officer shall establish appropriate procedures and take any other actions necessary to ensure that access to the information contained in the system is limited to persons who are employed by the Department of Health and Human Services or authorized and approved by the Chief Medical Officer.
- 2. Any information obtained by the system that would reveal the identity of a person remains confidential.