

**PROPOSED REGULATION OF THE
STATE BOARD OF HEALTH**

LCB FILE NO. R009-22I

**The following document is the initial draft regulation proposed
by the agency submitted on 01/20/2022**

**Nevada Administrative Code (NAC) 433
PROPOSED NEW REGULATIONS**

Italics, blue: New proposed language

~~[Red]:~~ Removed language

AUTHORITY: NRS 433.324.

A REGULATION relating to mental health; establishing a procedure for determining whether to involuntarily administer psychotropic medication to a patient at a public or private mental health facility; and providing other matters properly relating thereto.

NAC 443 is hereby amended as follows:

Sec. 10. To initiate the procedures set forth in sections 9 to 14, inclusive, of this regulation for the involuntary administration of psychotropic medication to a patient at a public or private mental health facility that has established such procedures, the practitioner who is primarily responsible for treating the patient must submit to the director of the facility a request to involuntarily administer psychotropic medication to the patient. Such a request may be made by the practitioner if:

1. The patient is currently admitted to the public or private mental health facility under ~~an emergency admission pursuant to NRS 433A.150 or~~ an involuntary court-ordered admission pursuant to NRS 433A.200;
2. The practitioner:
 - (a) Determines that the patient *presents a substantial likelihood of serious harm to himself or herself or others, as determined pursuant to NRS 433A.0195, or the patient is at serious risk of incurring serious injury or illness resulting from complete neglect of basic needs for food, clothing, shelter or personal safety;* and
 - (b) Explains to the patient the nature of the condition for which the psychotropic medication is necessary, the basis for the diagnosis of the condition, the benefits and risks of using the medication including, without limitation, possible side effects from use, any alternative treatment and the potential outcome if the condition remains untreated;
3. The patient refuses to provide informed written consent to the administration of the psychotropic medication after receiving the explanation described in paragraph (b); and
4. The practitioner documents in the medical record of the patient that the provisions of subsections 1, 2 and 3 were satisfied.