

**THE ONE HUNDRED AND THIRD DAY**

---

CARSON CITY (Friday), May 19, 2017

Assembly called to order at 1:11 p.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Reverend Chad Adamik.

God of all Creation, we come before You today to give You honor and praise. You are worthy of praise. You are the source of all that is good. You are the source of all of our blessings. Thank You for every gift that we have been given.

We thank You for the opportunity to come and gather together this day. We ask for Your hand of blessing on today's session. We ask that You would guide and direct the Assembly so that it is full of wisdom, productivity, and respect for one another.

Thank You for helping us to accomplish our work and our goals this day.

AMEN.

Pledge of allegiance to the Flag.

Assemblywoman Benitez-Thompson moved that further reading of the Journal be dispensed with and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Commerce and Labor, to which were referred Assembly Bill No. 405; Senate Bills Nos. 81, 171, 437, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

Also, your Committee on Commerce and Labor, to which was referred Senate Bill No. 292, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

IRENE BUSTAMANTE ADAMS, *Chair*

*Mr. Speaker:*

Your Committee on Government Affairs, to which were referred Senate Bills Nos. 138, 356, 462, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

EDGAR FLORES, *Chair*

*Mr. Speaker:*

Your Committee on Health and Human Services, to which was referred Senate Bill No. 165, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MICHAEL C. SPRINKLE, *Chair*

*Mr. Speaker:*

Your Committee on Legislative Operations and Elections, to which was referred Senate Concurrent Resolution No. 1, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

OLIVIA DIAZ, *Chair*

*Mr. Speaker:*

Your Committee on Natural Resources, Agriculture, and Mining, to which were referred Senate Bills Nos. 396, 499; Senate Joint Resolution No. 12, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

HEIDI SWANK, *Chair*

*Mr. Speaker:*

Your Committee on Transportation, to which were referred Senate Bills Nos. 37, 308, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

RICHARD CARRILLO, *Chair*

*Mr. Speaker:*

Your Committee on Ways and Means, to which were referred Assembly Bills Nos. 505, 506, 507, 509, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Committee on Ways and Means, to which were rereferred Assembly Bills Nos. 141, 480, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Committee on Ways and Means, to which was rereferred Assembly Bill No. 486, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

MAGGIE CARLTON, *Chair*

#### MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 18, 2017

*To the Honorable the Assembly:*

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 61, 62, 202, 209, 262, 319, 425, 429, 439, 455.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 101, Amendment No. 678; Assembly Bill No. 145, Amendment No. 702; Assembly Bill No. 146, Amendment No. 639; Assembly Bill No. 154, Amendment No. 741; Assembly Bill No. 341, Amendment No. 705; Assembly Bill No. 365, Amendment No. 706; Assembly Bill No. 464, Amendment No. 694, and respectfully requests your honorable body to concur in said amendments.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 105, Amendment No. 762, and respectfully requests your honorable body to concur in said amendment.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 233.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 503.

Also, I have the honor to inform your honorable body that the Senate on this day concurred in Assembly Amendment No. 662 to Senate Bill No. 267.

SHERRY RODRIGUEZ  
*Assistant Secretary of the Senate*

MOTIONS, RESOLUTIONS AND NOTICES

NOTICE OF EXEMPTION

May 18, 2017

The Fiscal Analysis Division, pursuant to Joint Standing Rule 14.6, has determined the exemption of: Senate Bill No. 146.

CINDY JONES  
*Fiscal Analysis Division*

May 19, 2017

The Fiscal Analysis Division, pursuant to Joint Standing Rule 14.6, has determined the eligibility for exemption of: Senate Bill No. 150.

CINDY JONES  
*Fiscal Analysis Division*

WAIVER OF JOINT STANDING RULES

A Waiver requested by Senator Ford.

For: Assembly Bill No. 21.

To Waive:

Subsection 3 of Joint Standing Rule No. 14.3 (out of final committee of 2nd house by 103rd day).

Subsection 4 of Joint Standing Rule No. 14.3 (out of 2nd house by 110th day).

Has been granted effective: May 19, 2017.

SENATOR AARON D. FORD  
*Senate Majority Leader*

ASSEMBLYMAN JASON FRIERSON  
*Speaker of the Assembly*

A Waiver requested by Senator Ford.

For: Senate Bill No. 344.

To Waive:

Subsection 3 of Joint Standing Rule No. 14.3 (out of final committee of 2nd house by 103rd day).

Subsection 4 of Joint Standing Rule No. 14.3 (out of 2nd house by 110th day).

Has been granted effective: May 19, 2017.

SENATOR AARON D. FORD  
*Senate Majority Leader*

ASSEMBLYMAN JASON FRIERSON  
*Speaker of the Assembly*

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 233.

Assemblywoman Benitez-Thompson moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

Senate Bill No. 503.

Assemblywoman Benitez-Thompson moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 374.

Bill read second time.

The following amendment was proposed by the Committee on Health and Human Services:

Amendment No. 745.

SUMMARY—Requires the Department of Health and Human Services , if authorized by federal law, to ~~make coverage through the Medicaid managed care program available~~ establish a health care plan within Medicaid for purchase ~~by~~ by persons who are not otherwise eligible for Medicaid. (BDR 38-881)

AN ACT relating to health care; requiring the Department of Health and Human Services , if authorized by federal law, to ~~make coverage through the~~ establish a health care plan within Medicaid ~~managed care program~~ which is available for purchase ~~by~~ by certain persons; requiring the Director of the Department to seek any necessary waivers from the Federal Government to ~~provide~~ establish such ~~coverage~~ a plan and to provide certain incentives to persons who purchase ~~such~~ coverage ~~; authorizing the Department to make such coverage~~ through such a plan; including the Nevada Care Plan within the qualified health plans that are available ~~on~~ through the Silver State Health Insurance Exchange ~~in certain circumstances~~ ; making an appropriation; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

The Patient Protection and Affordable Care Act (Public Law 111-148, as amended) provides a refundable federal income tax credit and cost-sharing reductions to certain eligible persons who earn not more than 400 percent of the federally designated poverty level in order to offset the cost of certain health care plan premiums. (26 U.S.C. § 36B, 42 U.S.C. § 18071; 45 C.F.R. § 155.305) The Act further requires that such credits and cost-sharing reductions only be made available to purchase health insurance which is offered on a state health insurance exchange, which includes, without limitation, the Silver State Health Insurance Exchange established by this State in 2011. (26 U.S.C. § 36B, 42 U.S.C. § 18071; NRS 695I.200) Existing federal law authorizes the Secretary of the United States Department of Health and Human Services to waive certain Medicaid requirements or provisions of the Act to promote state health care innovation. (42 U.S.C. §§ 1315, 18052)

Existing federal law states that the purpose of the Medicaid program is to promote access to health insurance for certain low-income persons. (42 U.S.C. § 1396) Existing law authorizes this State to enroll Medicaid recipients in a managed care program provided by a health maintenance organization pursuant to a contract with the Nevada Department of Health and Human Services. (42 U.S.C. § 1396u-2; NRS 422.273) Existing federal law also authorizes a state to receive its Federal Medical Assistance Percentage (FMAP) allotment of money from the Federal Government to reimburse providers of health care for medical services which are provided as part of a managed care program. (42 U.S.C. §§ 1396d, 1396u-2) Existing law requires this State to develop a State Plan for Medicaid which includes, without limitation, a list of the medical services provided to Medicaid

recipients. (42 U.S.C. § 1396a; NRS 422.063) Existing law also prohibits a state from using FMAP or other federal Medicaid money to reimburse a provider of health care for medical services which are provided to a person who earns more than 138 percent of the federally designated poverty level or for other expenses which are unrelated to the administration of Medicaid. (42 U.S.C. §§ 1396a, 1396b(a)(7); 42 C.F.R. 433.15(b))

**Section 2** of this bill requires the Director of the Nevada Department of Health and Human Services to seek any necessary waiver of certain provisions of federal law to allow ~~in a Medicaid managed care program~~ **the Nevada Care Plan, if established pursuant to section 3 of this bill,** to be offered **by certain insurers or** for purchase through the Silver State Health Insurance Exchange to persons who are otherwise ineligible for Medicaid. Additionally, ~~section 2 of this bill~~ requires the Director to seek any necessary federal waiver to allow persons to use the federal income tax credits and cost-sharing reductions authorized by the Act to purchase coverage through ~~in a Medicaid managed care program which is made available for purchase from the Department or on the Silver State Health Insurance Exchange~~ **the Nevada Care Plan.** **Section 5** of this bill revises the definition of “qualified health plan” to include the ~~Medicaid managed care program~~ **Nevada Care Plan** so that it may be offered for purchase in the same manner as other health plans through the Silver State Health Insurance Exchange ~~if established~~.

**Section 3** of this bill requires the Department, to the extent allowed by federal law, to **establish the Nevada Care Plan within Medicaid and** make coverage through the ~~Medicaid managed care program~~ **Plan** available for purchase to any person who is not otherwise eligible for Medicaid. ~~To purchase such coverage, the person must apply to the Division or may purchase coverage through the Silver State Health Insurance Exchange if the waiver has been obtained from the Secretary of the United States Department of Health and Human Services. Section 3 requires the annual premium charged for such coverage to be set at an amount which represents 150 percent of the median expenditure paid on behalf of a Medicaid recipient during the immediately preceding fiscal year.~~ **Section 3** further requires the benefits offered ~~in such a managed care program~~ **by the Nevada Care Plan** to be the same as those provided to ~~other~~ Medicaid recipients ~~if established~~. ~~Section 3 prohibits the Nevada Department of Health and Human Services from using any federal money to carry out the provisions of that section.~~ **who do not participate in the Medicaid managed care program, except that transportation services that are provided when there is not an emergency are not required to be covered.**

**Section 5.5 of this bill makes an appropriation to the Division of Health Care Financing and Policy of the Department for costs associated with establishing and administering the Nevada Care Plan.**

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

**Section 1.** Chapter 422 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this act.

**Sec. 2.** *The Director shall apply to the Secretary of the United States Department of Health and Human Services for any necessary waiver pursuant to 42 U.S.C. § 1315 or § 18052, as applicable, to:*

*1. Allow the ~~Medicaid managed care program authorized by NRS 422.273 to be~~ Director to enter into a contract with one or more insurers to provide coverage to persons who enroll in the Nevada Care Plan established pursuant to section 3 of this act and which may be made available for purchase through the Silver State Health Insurance Exchange established by NRS 695I.200; ~~to a person who is otherwise ineligible for Medicaid;~~ and*

*2. Allow a person who is determined eligible for advance payments of the premium tax credit and cost-sharing reductions pursuant to 45 C.F.R. § 155.305 to use such credits and reductions to purchase coverage through the ~~Medicaid managed care program;~~ Nevada Care Plan.*

**Sec. 3.** *1. To the extent allowed by federal law, the Director shall establish the Nevada Care Plan within Medicaid and make coverage ~~through the Medicaid managed care program~~ available for purchase through the Plan to any person who is not otherwise eligible for Medicaid. ~~†~~*

~~*(a) Through an application made to the Division in the manner established by the Department by regulation; or*~~

~~*(b) If the Secretary of the United States Department of Health and Human Services grants any necessary waiver described in section 2 of this act, through the Silver State Health Insurance Exchange.*~~

*2. The ~~amount to be charged for the annual premium to a person who purchases coverage through the Medicaid managed care program must be set at an amount which represents 150 percent of the median expenditure that was paid on behalf of a recipient of Medicaid during the immediately preceding fiscal year.~~*

~~*3. A) coverage provided to a person who enrolls in ~~a Medicaid managed care program pursuant to this section~~ the Nevada Care Plan must ~~receive~~ be the same ~~benefits~~ as ~~those received by other~~ the coverage provided to recipients of Medicaid ~~†~~*~~

~~*4. The Department must not use any federal money to carry out the requirements of this section.*~~

~~*5.) who do not participate in a Medicaid managed care program, except that transportation services that are provided when there is not an emergency, including, without limitation, pursuant to NRS 422.27495, are not required to be included in such coverage.*~~

3. If the Secretary of the United States Department of Health and Human Services grants any necessary waiver described in section 2 of this act:

(a) The Director may enter into a contract with one or more providers of insurance to provide the coverage described in this section to persons who enroll in the Nevada Care Plan; and

(b) May make the Nevada Care Plan available for purchase through the Silver State Health Insurance Exchange established by NRS 695I.200.

4. The Director shall, in consultation with the Commissioner of Insurance and the Executive Director of the Silver State Health Insurance Exchange, adopt such regulations as necessary to carry out the provisions of this section.

5. As used in this section, “provider of insurance” has the meaning ascribed to it in NRS 679A.118.

~~Sec. 4. [NRS 422.273 is hereby amended to read as follows:~~

~~422.273 1. For any Medicaid managed care program established in the State of Nevada, the Department shall contract only with a health maintenance organization that has:~~

~~(a) Negotiated in good faith with a federally qualified health center to provide health care services for the health maintenance organization;~~

~~(b) Negotiated in good faith with the University Medical Center of Southern Nevada to provide inpatient and ambulatory services to recipients of Medicaid; and~~

~~(c) Negotiated in good faith with the University of Nevada School of Medicine to provide health care services to recipients of Medicaid.~~

~~Nothing in this section shall be construed as exempting a federally qualified health center, the University Medical Center of Southern Nevada or the University of Nevada School of Medicine from the requirements for contracting with the health maintenance organization.~~

~~2. During the development and implementation of any Medicaid managed care program, the Department shall cooperate with the University of Nevada School of Medicine by assisting in the provision of an adequate and diverse group of patients upon which the school may base its educational programs.~~

~~3. The University of Nevada School of Medicine may establish a nonprofit organization to assist in any research necessary for the development of a Medicaid managed care program, receive and accept gifts, grants and donations to support such a program and assist in establishing educational services about the program for recipients of Medicaid.~~

~~4. For the purpose of contracting with a Medicaid managed care program pursuant to this section, a health maintenance organization is exempt from the provisions of NRS 695C.123.~~

~~5. The provisions of this section apply to any managed care organization, including a health maintenance organization, that provides health care services to recipients of Medicaid under the State Plan for Medicaid or the~~

~~Children’s Health Insurance Program pursuant to a contract with the Division [ ] or pursuant to section 2 of this act. Such a managed care organization or health maintenance organization is not required to establish a system for conducting external reviews of adverse determinations in accordance with chapter 695B, 695C or 695G of NRS. This subsection does not exempt such a managed care organization or health maintenance organization for services provided pursuant to any other contract.~~

~~6. As used in this section, unless the context otherwise requires:~~

~~(a) “Federally qualified health center” has the meaning ascribed to it in 42 U.S.C. § 1396d(1)(2)(B);~~

~~(b) “Health maintenance organization” has the meaning ascribed to it in NRS 695C.030.~~

~~(c) “Managed care organization” has the meaning ascribed to it in NRS 695G.050.] (Deleted by amendment.)~~

Sec. 5. NRS 695I.080 is hereby amended to read as follows:

695I.080 Except as otherwise provided in NRS 695I.370, “qualified health plan” [has the meaning ascribed to it in] means:

1. A health plan which meets the requirements of § 1301 of the Federal Act [ ]; or

2. ~~The [Medicaid managed care program to the extent that it is made available as described in section 2 of this act.] Nevada Care Plan if established pursuant to section 3 of this act.~~

**Sec. 5.5. 1. There is hereby appropriated from the State General Fund to the Division of Health Care Financing and Policy of the Department of Health and Human Services for the administrative expenses to establish and administer the Nevada Care Plan pursuant to sections 2 and 3 of this act the following sums:**

**For the Fiscal Year 2017-2018..... \$89,540**

**For the Fiscal Year 2018-2019..... \$89,540**

**2. Any balance of the sums appropriated by subsection 1 remaining at the end of the respective fiscal years must not be committed for expenditure after June 30 of the respective fiscal years by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of appropriated money remaining must not be spent for any purpose after September 21, 2018, and September 20, 2019, respectively, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 21, 2018, and September 20, 2019, respectively.**

Sec. 6. 1. This section and sections 1 and 2 of this act become effective upon passage and approval.

2. **Section 5.5 of this act becomes effective on July 1, 2017.**

3. Sections 3, 4 and 5 of this act become effective upon passage and approval for the purpose of adopting regulations and performing any other



preparatory administrative tasks that are necessary to carry out the provisions of this act and on January 1, ~~2018~~, 2019, for all other purposes.

Assemblyman Sprinkle moved the adoption of the amendment.

Remarks by Assemblyman Sprinkle.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 494.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 669.

AN ACT making a supplemental appropriation to the Division of Health Care Financing and Policy of the Department of Health and Human Services for a projected shortfall resulting from an increase in the Medicaid caseload over the amount legislatively approved for Fiscal Years 2015-2016 and 2016-2017; authorizing the expenditure of certain money for the same purposes; and providing other matters properly relating thereto.

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

**Section 1.** There is hereby appropriated from the State General Fund to the Division of Health Care Financing and Policy of the Department of Health and Human Services the sum of ~~[\$16,391,696]~~ \$5,800,224 for a projected shortfall resulting from an increase in the Medicaid caseload over the amount legislatively approved for Fiscal Years 2015-2016 and 2016-2017. This appropriation is supplemental to that made by section 20 of chapter 534, Statutes of Nevada 2015, at page 3672.

**Sec. 2.** Expenditure of ~~[\$130,930,190]~~ \$124,074,692 not appropriated from the State General Fund or the State Highway Fund is hereby authorized during the fiscal year beginning on July 1, 2016, and ending on June 30, 2017, by the Division for the same purposes as set forth as section 1 of this act. This authorization is supplemental to that made by section 1 of chapter 484, Statutes of Nevada 2015, at page 2854.

**Sec. 3.** This act becomes effective upon passage and approval.

Assemblywoman Carlton moved the adoption of the amendment.

Remarks by Assemblywoman Carlton.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 38.

Bill read second time and ordered to third reading.

Senate Bill No. 59.

Bill read second time.

The following amendment was proposed by the Committee on Health and Human Services:

Amendment No. 743.

AN ACT relating to controlled substances; requiring the uploading of certain information to the database of the program developed by the State Board of Pharmacy and the Investigation Division of the Department of Public Safety to monitor prescriptions for certain controlled substances; authorizing an employee of a law enforcement agency or a coroner, medical examiner or deputy thereof who meets certain requirements to access the database of the program; expanding the scope of the program to include certain additional controlled substances; requiring a practitioner to obtain a patient utilization report before prescribing certain controlled substances; providing a penalty; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law requires the State Board of Pharmacy and the Investigation Division of the Department of Public Safety to develop a computerized program to track each prescription for a controlled substance listed in schedule II, III or IV filled by a pharmacy or dispensed by a practitioner registered with the Board. The program is required to be designed to provide information regarding: (1) the inappropriate use by a patient of certain controlled substances to pharmacies, practitioners and appropriate state and local governmental agencies to prevent the improper or illegal use of such controlled substances; and (2) statistical data relating to the use of those controlled substances. (NRS 453.162) **Sections 2-3** of this bill expand the scope of the program to also track each prescription for a controlled substance listed in schedule V.

Existing law requires the Board to allow certain law enforcement officers to have Internet access to the database of the program only for the purpose of investigating a crime related to prescription drugs. (NRS 453.165) **Section 4 of this bill instead requires the Board to allow an employee of a law enforcement agency to have Internet access to the database of the program under certain circumstances only for certain purposes.**

**Section 1.3** of this bill requires a law enforcement officer who ~~encounters certain situations involving~~ **has probable cause to believe that a violation of chapter 453 of NRS concerning** prescribed controlled substances **has occurred** or who receives a report of a stolen prescription for a controlled substance while acting in his or her official capacity and in the regular course of an investigation to report certain information to his or her employer. **Section 1.3** requires a coroner, medical examiner or deputy thereof who determines, as the result of an investigation of the death of a person, that the person died as the result of using a prescribed controlled substance, to upload certain information to the database of the program or, if the coroner, medical examiner or deputy thereof does not have such access, report such information to a coroner, medical examiner or deputy thereof who has access to the database. **Section 1.3** also requires the employer of the law

enforcement officer or a coroner, medical examiner or deputy thereof to upload such reported information to the database of the program as soon as practicable after receiving the information except where the employer of a law enforcement officer determines that uploading the information will interfere with an active criminal investigation. In that case, the employer may postpone uploading the information until after the conclusion of the investigation. **Section 1.3** further provides that each law enforcement officer, employer of a law enforcement officer, coroner, medical examiner or deputy of a coroner or medical examiner who makes a good faith effort to comply with **section 1.3**, or a regulation adopted pursuant thereto, is immune from civil and criminal liability for any act or omission relating to the transmission of information pursuant to **section 1.3**. **Section 1.6** of this bill authorizes a coroner, medical examiner or deputy thereof who meets certain requirements to access the database of the computerized program to: (1) upload information concerning the death of a person due to using a prescribed controlled substance; or (2) investigate the death of a person. **Section 4 authorizes an employee of a law enforcement agency to access the database of the program to upload the information required by section 1.3.**

Existing law requires a practitioner to obtain a patient utilization report from the computerized program before initiating a prescription for a controlled substance listed in schedule II, III or IV. **Section 5.5** of this bill additionally requires a practitioner to obtain such a report before initiating a prescription for an opioid that is a controlled substance listed in schedule V.

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

**Section 1.** Chapter 453 of NRS is hereby amended by adding thereto the provisions set forth as sections 1.3 and 1.6 of this act.

**Sec. 1.3. 1. If a law enforcement officer, while acting in his or her official capacity and in the regular course of an investigation:**

*(a) Encounters a situation in which the law enforcement officer has probable cause to believe that a violation of this chapter involving a prescription for a controlled substance is occurring or has occurred; or*

*(b) ~~Encounters a deceased person who the law enforcement officer believes died as a result of using a prescribed controlled substance; or~~*

*~~(c) Receives a report of a stolen prescription for a controlled substance,~~  
↪ *the law enforcement officer shall report to his or her employer the information required by subsection 3.**

*2. A coroner, medical examiner or deputy thereof who, as the result of an investigation into the cause of a death determines that a person died as the result of using a prescribed controlled substance, shall:*

*(a) If the coroner, medical examiner or deputy thereof has access to the database of the computerized program developed pursuant to NRS 453.162, upload the information required by subsection 3 as soon as practicable; or*

(b) If the coroner, medical examiner or deputy thereof does not have access to the database of the computerized program developed pursuant to NRS 453.162, report the information to a coroner, medical examiner or deputy thereof who has such access.

3. A law enforcement officer or a coroner, medical examiner or deputy thereof who is required to report or upload, as applicable, information pursuant to subsection 1 or 2 shall report or upload, as applicable, the following information, to the extent such information is available and applicable:

(a) The name of the person who:

(1) Is believed to have violated this chapter;

(2) ~~Is believed to have experienced an overdose as a result of using a prescribed controlled substance;~~

~~(3) Is believed to have died;~~ Died as a result of using a prescribed controlled substance; or

~~(4)~~ (3) Filed the report of a stolen prescription for a controlled substance.

(b) The name of the person to whom the controlled substance involved in an event described in subsection 1 or 2 is or was prescribed.

(c) If a prescription container for the controlled substance is found in the vicinity of the location of an event described in paragraph (a) ~~for (b)~~ of subsection 1 or subsection 2 or if a prescription for a controlled substance is reported stolen:

(1) The name of the prescribing practitioner;

(2) The prescription number; and

(3) The name of the controlled substance as it appears on the prescription container or prescription order.

4. Except as otherwise provided in subsection 5, an employer of a law enforcement officer or a coroner, medical examiner or deputy thereof who receives a report pursuant to subsection 1 or 2 shall, as soon as practicable after receiving that report, upload to the database of the program established pursuant to NRS 453.162 notice of the occurrence of an event described in subsection 1 or 2, as applicable, and the information received pursuant to subsection 3. The employer of a law enforcement officer or a coroner, medical examiner or deputy thereof shall ensure that only a person who is authorized to access the database of the program pursuant to NRS 453.165 or section 1.6 of this act uploads such information.

5. If an employer of a law enforcement officer determines that uploading any information to the database of the program pursuant to subsection 4 will interfere with an active criminal investigation, the employer may postpone uploading such information until after the conclusion of the investigation.

6. Each law enforcement officer or employer of a law enforcement officer and each coroner, medical examiner and deputy thereof who makes a good faith effort to comply with this section, or a regulation adopted

*pursuant thereto, is immune from civil and criminal liability for any act or omission relating to the transmission of information pursuant to this section.*

*7. As used in this section, “law enforcement officer” ~~has the meaning ascribed to it in NRS 453.165.~~ means any person upon whom some or all of the powers of a peace officer are conferred pursuant to NRS 289.150 to 289.360, inclusive.*

*Sec. 1.6. 1. Except as otherwise provided in this section, the Board shall allow:*

*(a) A coroner or medical examiner to have Internet access to the database of the computerized program developed pursuant to NRS 453.162 if the coroner or medical examiner has completed the course of training developed pursuant to subsection 4 of NRS 453.164.*

*(b) A deputy of a coroner or medical examiner to have Internet access to the database of the computerized program developed pursuant to NRS 453.162 if:*

*(1) The deputy has completed the course of training developed pursuant to subsection 4 of NRS 453.164; and*

*(2) The coroner or medical examiner who employs the deputy has submitted the certification required pursuant to subsection 2 to the Board.*

*2. Before the deputy of a coroner or medical examiner may be given access to the database pursuant to subsection 1, the coroner or medical examiner who employs the deputy must certify to the Board that the deputy has been approved to have such access and meets the requirements of subsection 1. Such certification must be made on a form provided by the Board and renewed annually.*

*3. When a coroner, medical examiner or deputy thereof accesses the database of the computerized program pursuant to this section, the ~~officer~~ coroner, medical examiner or deputy thereof must enter a unique user name assigned to the coroner, medical examiner or deputy thereof and, if applicable, the case number corresponding to the investigation being conducted by the coroner, medical examiner or deputy thereof.*

*4. A coroner, medical examiner or deputy thereof who has access to the database of the computerized program pursuant to subsection 1 may access the database only to:*

*(a) Investigate the death of a person; or*

*(b) Upload information to the database pursuant to section 1.3 of this act.*

*5. The Board or the Division may suspend or terminate access to the database of the computerized program pursuant to this section if a coroner, medical examiner or deputy thereof violates any provision of this section.*

*Sec. 2. NRS 453.162 is hereby amended to read as follows:*

*453.162 1. The Board and the Division shall cooperatively develop a computerized program to track each prescription for a controlled substance listed in schedule II, III ~~or~~, IV or V that is filled by a pharmacy that is*

registered with the Board or that is dispensed by a practitioner who is registered with the Board. The program must:

(a) Be designed to provide information regarding:

(1) The inappropriate use by a patient of controlled substances listed in schedules II, III ~~and~~, IV **and** V to pharmacies, practitioners and appropriate state and local governmental agencies, including, without limitation, law enforcement agencies and occupational licensing boards, to prevent the improper or illegal use of those controlled substances; and

(2) Statistical data relating to the use of those controlled substances that is not specific to a particular patient.

(b) Be administered by the Board, the Investigation Division, the Division of Public and Behavioral Health of the Department and various practitioners, representatives of professional associations for practitioners, representatives of occupational licensing boards and prosecuting attorneys selected by the Board and the Investigation Division.

(c) Not infringe on the legal use of a controlled substance for the management of severe or intractable pain.

(d) Include the contact information of each person who is required to access the database of the program pursuant to NRS 453.164, including, without limitation:

(1) The name of the person;

(2) The physical address of the person;

(3) The telephone number of the person; and

(4) If the person maintains an electronic mail address, the electronic mail address of the person.

(e) To the extent that money is available, include:

(1) A means by which a practitioner may designate in the database of the program that he or she suspects that a patient is seeking a prescription for a controlled substance for an improper or illegal purpose. If the Board reviews the designation and determines that such a designation is warranted, the Board shall inform pharmacies, practitioners and appropriate state agencies that the patient is seeking a prescription for a controlled substance for an improper or illegal purpose as described in subparagraph (1) of paragraph (a).

(2) The ability to integrate the records of patients in the database of the program with the electronic health records of practitioners.

2. The Board, the Division and each employee thereof are immune from civil and criminal liability for any action relating to the collection, maintenance and transmission of information pursuant to this section and NRS 453.163 and 453.164 **and sections 1.3 and 1.6 of this act** if a good faith effort is made to comply with applicable laws and regulations.

3. The Board and the Division may apply for any available grants and accept any gifts, grants or donations to assist in developing and maintaining the program required by this section.

**Sec. 2.5.** NRS 453.163 is hereby amended to read as follows:

453.163 1. Except as otherwise provided in this subsection, each person registered pursuant to this chapter to dispense a controlled substance listed in schedule II, III ~~or~~, IV *or* V shall, not later than the end of the next business day after dispensing a controlled substance, upload to the database of the program established pursuant to NRS 453.162 the information described in paragraph (d) of subsection 1 of NRS 453.162. The requirements of this subsection do not apply if the controlled substance is administered directly by a practitioner to a patient in a health care facility, as defined in NRS 439.960, a child who is a resident in a child care facility, as defined in NRS 432A.024, or a prisoner, as defined in NRS 208.085. The Board shall establish by regulation and impose administrative penalties for the failure to upload information pursuant to this subsection.

2. The Board and the Division may cooperatively enter into a written agreement with an agency of any other state to provide, receive or exchange information obtained by the program with a program established in that state which is substantially similar to the program established pursuant to NRS 453.162, including, without limitation, providing such state access to the database of the program or transmitting information to and receiving information from such state. Any information provided, received or exchanged as part of an agreement made pursuant to this section may only be used in accordance with the provisions of this chapter.

3. A practitioner who is authorized to write prescriptions for and each person who is authorized to dispense controlled substances listed in schedule II, III ~~or~~, IV *or* V who makes a good faith effort to comply with applicable laws and regulations when transmitting to the Board or the Division a report or information required by this section or NRS 453.162 or 453.164, or a regulation adopted pursuant thereto, is immune from civil and criminal liability relating to such action.

**Sec. 3.** NRS 453.164 is hereby amended to read as follows:

453.164 1. The Board shall provide Internet access to the database of the program established pursuant to NRS 453.162 to an occupational licensing board that licenses any practitioner who is authorized to write prescriptions for controlled substances listed in schedule II, III ~~or~~, IV ~~or~~ *or* V.

2. The Board and the Division must have access to the program established pursuant to NRS 453.162 to identify any suspected fraudulent or illegal activity related to the dispensing of controlled substances.

3. The Board or the Division shall report any activity it reasonably suspects may:

(a) Be fraudulent or illegal to the appropriate law enforcement agency or occupational licensing board and provide the law enforcement agency or occupational licensing board with the relevant information obtained from the program for further investigation.

(b) Indicate the inappropriate use by a patient of a controlled substance to the occupational licensing board of each practitioner who has prescribed the controlled substance to the patient. The occupational licensing board may access the database of the program established pursuant to NRS 453.162 to determine which practitioners are prescribing the controlled substance to the patient. The occupational licensing board may use this information for any purpose it deems necessary, including, without limitation, alerting a practitioner that a patient may be fraudulently obtaining a controlled substance or determining whether a practitioner is engaged in unlawful or unprofessional conduct. This paragraph shall not be construed to require an occupational licensing board to conduct an investigation or take any action against a practitioner upon receiving information from the Board or the Division.

4. The Board and the Division shall cooperatively develop a course of training for persons who are required *or authorized* to receive access to the database of the program pursuant to subsection 6 *or NRS 453.165 and section 1.6 of this act* and require each such person to complete the course of training before the person is provided with Internet access to the database.

5. Each practitioner who is authorized to write prescriptions for and each person who is authorized to dispense controlled substances listed in schedule II, III ~~for~~, IV *or V* shall complete the course of instruction described in subsection 4. The Board shall provide Internet access to the database to each such practitioner or other person who completes the course of instruction.

6. Each practitioner who is authorized to write prescriptions for controlled substances listed in schedule II, III ~~for~~, IV *or V* shall, to the extent the program allows, access the database of the program established pursuant to NRS 453.162 at least once each 6 months to:

(a) Review the information concerning the practitioner that is listed in the database and notify the Board if any such information is not correct; and

(b) Verify to the Board that he or she continues to have access to and has accessed the database as required by this subsection.

7. Information obtained from the program relating to a practitioner or a patient is confidential and, except as otherwise provided by this section and NRS 239.0115, 453.162 and 453.163, must not be disclosed to any person. That information must be disclosed:

(a) Upon ~~the~~ a request ~~of~~ *made on a notarized form prescribed by the Board* by a person about whom the information requested concerns or upon ~~the~~ *such a* request on behalf of that person by his or her attorney; or

(b) Upon the lawful order of a court of competent jurisdiction.

8. If the Board, the Division or a law enforcement agency determines that the database of the program has been intentionally accessed by a person or for a purpose not authorized pursuant to NRS 453.162 to 453.165, inclusive, *and sections 1.3 and 1.6 of this act*, the Board, Division or law enforcement agency, as applicable, must notify any person whose



information was accessed by an unauthorized person or for an unauthorized purpose.

**Sec. 4.** NRS 453.165 is hereby amended to read as follows:

453.165 1. Except as otherwise provided in this section, the Board shall allow an employee of a law enforcement ~~{officer}~~ agency to have Internet access to the database of the computerized program developed pursuant to NRS 453.162 if:

~~(a) {The primary responsibility of the law enforcement officer is to conduct investigations of crimes relating to prescription drugs;~~

~~(b) {The law enforcement officer}~~ employee has been approved by his or her employer to have such access;

~~(c) {b}~~ The ~~{law enforcement officer}~~ employee has completed the course of training developed pursuant to subsection 4 of NRS 453.164; and

~~(d) {c}~~ The ~~{employer of the}~~ law enforcement ~~{officer}~~ agency has submitted the certification required pursuant to subsection 2 to the Board.

2. Before ~~{a}~~ an employee of a law enforcement ~~{officer}~~ agency may be given access to the database pursuant to subsection 1, the ~~{employer of the officer}~~ law enforcement agency must certify to the Board that the ~~{law enforcement officer}~~ employee has been approved to be given such access and meets the requirements of subsection 1. Such certification must be made on a form provided by the Board and renewed annually.

3. When an employee of a law enforcement ~~{officer}~~ agency accesses the database of the computerized program pursuant to this section, the ~~{officer}~~ employee must enter a unique user name assigned to the ~~{officer}~~ employee and, *if applicable*, the case number corresponding to the investigation ~~{being conducted by the officer.}~~ pursuant to which the employee is accessing the database.

4. ~~{A}~~ An employee of a law enforcement ~~{officer}~~ agency who is given access to the database of the computerized program pursuant to subsection 1 may access the database *for no other purpose than* to ~~{investigate}~~ :

*(a) Investigate* a crime related to prescription drugs ~~{and for no other purpose.}~~; or

*(b) Upload information to the database pursuant to section 1.3 of this act.*

5. ~~{The employer of a}~~ A law enforcement ~~{officer who is}~~ agency whose employees are provided access to the database of the computerized program pursuant to this section shall monitor the use of the database by the employees of the law enforcement ~~{officer}~~ agency and establish appropriate disciplinary action to take against an ~~{officer}~~ employee who violates the provisions of this section.

6. The Board or the Division may suspend or terminate access to the database of the computerized program pursuant to this section if a law enforcement ~~{officer}~~ agency or ~~{his or her employer}~~ employee thereof violates any provision of this section.

~~[ 7. As used in this section, “law enforcement officer” means any person upon whom some or all of the powers of a peace officer are conferred pursuant to NRS 289.150 to 289.360, inclusive.]~~

**Sec. 5.** NRS 453.552 is hereby amended to read as follows:

453.552 1. Any penalty imposed for violation of NRS 453.011 to 453.551, inclusive, **and sections 1.3 and 1.6 of this act**, is in addition to, and not in lieu of, any civil or administrative penalty or sanction otherwise authorized by law.

2. Any violation of the provisions of NRS 453.011 to 453.551, inclusive, **and sections 1.3 and 1.6 of this act**, where no other penalty is specifically provided, is a misdemeanor.

**Sec. 5.5.** NRS 639.23507 is hereby amended to read as follows:

639.23507 1. A practitioner shall, before initiating a prescription for a controlled substance listed in schedule II, III or IV ~~[ ]~~ **or an opioid that is a controlled substance listed in schedule V**, obtain a patient utilization report regarding the patient from the computerized program established by the Board and the Investigation Division of the Department of Public Safety pursuant to NRS 453.162 if:

(a) The patient is a new patient of the practitioner; or

(b) The prescription is for more than 7 days and is part of a new course of treatment for the patient.

↪ The practitioner shall review the patient utilization report to assess whether the prescription for the controlled substance is medically necessary.

2. If a practitioner who attempts to obtain a patient utilization report as required by subsection 1 fails to do so because the computerized program is unresponsive or otherwise unavailable, the practitioner:

(a) Shall be deemed to have complied with subsection 1 if the practitioner documents the attempt and failure in the medical record of the patient.

(b) Is not liable for the failure.

3. The Board shall adopt regulations to provide alternative methods of compliance with subsection 1 for a physician while he or she is providing service in a hospital emergency department. The regulations must include, without limitation, provisions that allow a hospital to designate members of hospital staff to act as delegates for the purposes of accessing the database of the computerized program and obtaining patient utilization reports from the computerized program on behalf of such a physician.

4. A practitioner who violates subsection 1:

(a) Is not guilty of a misdemeanor.

(b) May be subject to professional discipline if the appropriate professional licensing board determines that the practitioner’s violation was intentional.

5. As used in this section, “initiating a prescription” means originating a new prescription for a new patient of a practitioner or originating a new prescription to begin a new course of treatment for an existing patient of a practitioner. The term does not include any act concerning an ongoing

prescription that is written to continue a course of treatment for an existing patient of a practitioner.

**Sec. 6.** This act becomes effective on July 1, 2017.

Assemblyman Sprinkle moved the adoption of the amendment.

Remarks by Assemblyman Sprinkle.

Amendment adopted.

Bill ordered reprinted, reengrossed and to third reading.

Senate Bill No. 150.

Bill read second time and ordered to third reading.

Senate Bill No. 162.

Bill read second time.

The following amendment was proposed by the Committee on Commerce and Labor:

Amendment No. 725.

AN ACT relating to psychology; requiring the registration of psychological assistants by the Board of Psychological Examiners; authorizing the registration of psychological interns and psychological trainees by the Board; requiring an applicant for such a registration to submit an application, an application fee and his or her fingerprints; prescribing the fee for the initial registration and ~~annual~~ renewal of such a registration; requiring a licensed psychologist to supervise any activity or service provided by a psychological assistant, psychological intern or psychological trainee; authorizing a psychologist who supervises the performance of certain services by a registered psychological assistant, psychological intern or psychological trainee to be reimbursed for such services under the State Plan for Medicaid, to the extent authorized by federal law; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law provides for the licensure of psychologists by the Board of Psychological Examiners. (NRS 641.160, 641.170) Under existing regulations: (1) a person who wishes to obtain certain postdoctoral experience in psychology must register with the Board as a psychological assistant and perform certain activities only under the supervision of a licensed psychologist; and (2) a person who is in a doctoral program in psychology and who is engaged in an internship is not required to register with the Board but may perform certain activities under the supervision of a licensed psychologist. (NAC 641.1507-641.161)

**Sections 1-10** of this bill provide for the registration of psychological assistants, psychological interns and psychological trainees. **Section 5** of this bill: (1) requires a person who wishes to obtain certain postdoctoral experience in psychology to register with the Board as a psychological assistant; (2) authorizes a person who is in a doctoral program or certain doctorate-level training in psychology and who wishes to engage in an

internship to register with the Board as a psychological intern; and (3) authorizes a person who is in a doctoral program or certain doctorate-level training and who wishes to perform certain activities or services which are not part of an internship program to register with the Board as a psychological trainee. **Section 5** further requires an applicant for such a registration to submit to the Board: (1) an application; (2) an application fee; and (3) a complete set of fingerprints and a fee for obtaining a criminal background check on the applicant. ~~Under~~ **Finally, section 5** ~~is a person registered~~ **sets forth the period for which a registration** as a psychological assistant, psychological intern or psychological trainee ~~must renew his or her registration annually. However, the registration may not be renewed if the renewal would cause the psychological assistant, psychological intern or psychological trainee to be registered for more than 3 years.~~ **is valid and the circumstances under which such a registration may be renewed.**

**Section 9.5** of this bill establishes a fee of not more than \$250 for the initial registration of a psychological assistant, psychological intern or psychological trainee and a fee of not more than \$150 for the ~~annual~~ renewal of such a registration. However, under **section 9.5**, the Board is required to waive the fee for the initial registration as a psychological assistant, psychological intern or psychological trainee if the applicant has previously been registered as a psychological assistant, psychological intern or psychological trainee.

**Section 9** of this bill requires an applicant for a registration to include in the application his or her social security number and a statement relating to compliance with certain child support orders. **Section 10** of this bill requires the Board to suspend a registration if the registered person fails to comply with certain requirements related to child support orders. Under **section 5**, a person registered as a psychological assistant, psychological intern or psychological trainee is authorized to perform professional activities and services only under the supervision of a licensed psychologist. **Section 7** of this bill authorizes the Board to adopt regulations relating to the registration of persons as psychological assistants, psychological interns and psychological trainees, and to suspend or revoke such a registration under certain circumstances.

Existing law requires the Director of the Department of Health and Human Services to adopt a State Plan for Medicaid, to be implemented by the Division of Health Care Financing and Policy of the Department. (NRS 422.063) Existing law also requires that various services rendered by certain providers of health care be reimbursable under the State Plan for Medicaid. (NRS 422.2717-422.27241) **Section 11** of this bill authorizes the Department, through the Division and to the extent authorized by federal law, to reimburse a psychologist for certain services rendered by a registered psychological assistant, psychological intern or psychological trainee under the supervision of the psychologist.

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

**Section 1.** Chapter 641 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 5, inclusive, of this act.

**Sec. 2.** *“Psychological assistant” means a person registered with the Board as a psychological assistant pursuant to subsection 1 of section 5 of this act.*

**Sec. 3.** *“Psychological intern” means a person registered with the Board as a psychological intern pursuant to subsection 2 of section 5 of this act.*

**Sec. 4.** *“Psychological trainee” means a person registered with the Board as a psychological trainee pursuant to subsection 3 of section 5 of this act.*

**Sec. 5. 1.** *A person who wishes to obtain any postdoctoral supervised experience that is required for licensure as a psychologist pursuant to paragraph (e) of subsection 1 of NRS 641.170 must register with the Board as a psychological assistant.*

**2.** *A person who:*

*(a) Is in a doctoral training program in psychology at an accredited educational institution approved by the Board or in doctorate-level training from an accredited educational institution deemed equivalent by the Board in both subject matter and extent of training; and*

*(b) Wishes to engage in a predoctoral internship pursuant to the requirements of the training program,*

*↪ may register with the Board as a psychological intern.*

**3.** *A person who:*

*(a) Is in a doctoral training program in psychology at an accredited educational institution approved by the Board or in doctorate-level training from an accredited educational institution deemed equivalent by the Board in both subject matter and extent of training; and*

*(b) Wishes to perform professional activities or services under the supervision of a psychologist,*

*↪ may register with the Board as a psychological trainee.*

**4.** *A person desiring to register as a psychological assistant, psychological intern or psychological trainee must:*

*(a) Make application to the Board on a form, and in a manner, prescribed by the Board. The application must be accompanied by the application fee prescribed by the Board and include all information required to complete the application.*

*(b) As part of the application and at his or her own expense:*

*(1) Arrange to have a complete set of fingerprints taken by a law enforcement agency or other authorized entity acceptable to the Board; and*

*(2) Submit to the Board:*

(I) A complete set of fingerprints, a fee for the processing of fingerprints established by the Board and written permission authorizing the Board to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for a report on the applicant's background, and to such other law enforcement agencies as the Board deems necessary for a report on the applicant's background; or

(II) Written verification, on a form prescribed by the Board, stating that the set of fingerprints of the applicant was taken and directly forwarded electronically or by other means to the Central Repository for Nevada Records of Criminal History and that the applicant provided written permission authorizing the law enforcement agency or other authorized entity taking the fingerprints to submit the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for a report on the applicant's background, and to such other law enforcement agencies as the Board deems necessary for a report on the applicant's background.

5. The Board may:

(a) Unless the applicant's fingerprints are directly forwarded pursuant to sub-subparagraph (II) of subparagraph (2) of paragraph (b) of subsection 4, submit those fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation and to such other law enforcement agencies as the Board deems necessary; and

(b) Request from each agency to which the Board submits the fingerprints any information regarding the applicant's background as the Board deems necessary.

6. An application for initial registration as a psychological assistant, psychological intern or psychological trainee is not considered complete and received until the Board receives a complete set of fingerprints or verification that the fingerprints have been forwarded electronically or by other means to the Central Repository for Nevada Records of Criminal History, and written authorization from the applicant pursuant to this section.

7. ~~The~~ A registration ~~for~~ as a ~~psychological~~ :

(a) ~~Psychological assistant~~ ~~psychological intern or psychological trainee~~ expires 1 year after the date of registration unless the registration is renewed pursuant to ~~this~~ subsection ~~for~~. ~~The Board may not renew such a~~ 8. A registration as a psychological assistant may not be renewed if the renewal would cause the psychological assistant ~~psychological intern or psychological trainee~~ to be registered as a psychological assistant for more than 3 years ~~for~~ unless otherwise approved by the Board.

(b) Psychological intern expires 2 years after the date of registration and may not be renewed unless otherwise approved by the Board.

*(c) Psychological trainee expires 2 years after the date of registration unless the registration is renewed pursuant to subsection 8. A registration as a psychological trainee may not be renewed if the renewal would cause the psychological trainee to be registered as a psychological trainee for more than 5 years unless otherwise approved by the Board.*

*8. To renew a registration ~~of~~ as a psychological assistant, psychological intern or psychological trainee, the registrant must, on or before the expiration of the registration:*

*(a) Apply to the Board for renewal;*

*(b) Pay the fee prescribed by the Board pursuant to NRS 641.228 for the ~~annual~~ renewal of a registration as a psychological assistant, psychological intern or psychological trainee; and*

*(c) Submit all information required to complete the renewal.*

*~~8.7~~ 9. Any activity or service performed by a psychological assistant, psychological intern or psychological trainee must be performed under the supervision of a psychologist in accordance with regulations adopted by the Board.*

**Sec. 6.** NRS 641.020 is hereby amended to read as follows:

641.020 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 641.0202 to 641.027, inclusive, **and sections 2, 3 and 4 of this act** and 689A.0435 have the meanings ascribed to them in those sections.

**Sec. 7.** NRS 641.100 is hereby amended to read as follows:

641.100 The Board may make and promulgate rules and regulations not inconsistent with the provisions of this chapter governing its procedure, the examination and licensure of applicants, the granting, refusal, revocation or suspension of licenses, ***the registration of persons as psychological assistants, psychological interns or psychological trainees***, the practice of psychology and the practice of applied behavior analysis.

**Sec. 8.** NRS 641.110 is hereby amended to read as follows:

641.110 1. The Board may, under the provisions of this chapter:

*(a) Examine and pass upon the qualifications of the applicants for licensure.*

*(b) License qualified applicants.*

*(c) Register a person as a psychological assistant, psychological intern or psychological trainee.*

*(d) Revoke or suspend licenses ~~of~~ and registrations.*

~~*(d)*~~ *(e) Collect all fees and make disbursements pursuant to this chapter.*

2. The member of the Board who is a representative of the general public shall not participate in preparing, conducting or grading any examination required by the Board.

**Sec. 9.** NRS 641.175 is hereby amended to read as follows:

641.175 1. In addition to any other requirements set forth in this chapter:

(a) An applicant for the issuance of a license *or registration* shall include the social security number of the applicant in the application submitted to the Board.

(b) An applicant for the issuance or renewal of a license *or registration* shall submit to the Board the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to NRS 425.520. The statement must be completed and signed by the applicant.

2. The Board shall include the statement required pursuant to subsection 1 in:

(a) The application or any other forms that must be submitted for the issuance or renewal of the license ~~;~~ *or registration*; or

(b) A separate form prescribed by the Board.

3. A license *or registration* may not be issued or renewed by the Board if the applicant:

(a) Fails to submit the statement required pursuant to subsection 1; or

(b) Indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.

4. If an applicant indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the Board shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage.

**Sec. 9.5.** NRS 641.228 is hereby amended to read as follows:

641.228 1. The Board shall charge and collect not more than the following fees respectively:

For the national examination, in addition to the actual cost to the Board of the examination .....	\$100
For any other examination required pursuant to the provisions of subsection 1 of NRS 641.180, in addition to the actual costs to the Board of the examination .....	100
For the issuance of an initial license, including a license by endorsement.....	25
For the biennial renewal of a license of a psychologist.....	500
For the biennial renewal of a license of a licensed behavior analyst.....	400



For the biennial renewal of a license of a licensed assistant behavior analyst..... 275

For the restoration of a license suspended for the nonpayment of the biennial fee for the renewal of a license ..... 100

For the registration of a firm, partnership or corporation which engages in or offers to engage in the practice of psychology ..... 300

For the registration of a nonresident to practice as a consultant..... 100

**For the initial registration of a psychological assistant, psychological intern or psychological trainee..... 250**

**For the ~~annual~~ renewal of a registration of a psychological assistant, psychological intern or psychological trainee ..... 150**

2. An applicant who passes the national examination and any other examination required pursuant to the provisions of subsection 1 of NRS 641.180 and who is eligible for a license as a psychologist shall pay the biennial fee for the renewal of a license, which must be prorated for the period from the date the license is issued to the end of the biennium.

3. An applicant who passes the examination and is eligible for a license as a behavior analyst or assistant behavior analyst shall pay the biennial fee for the renewal of a license, which must be prorated for the period from the date the license is issued to the end of the biennium.

4. Except as otherwise provided in subsections 5 and 6 and NRS 641.195, in addition to the fees set forth in subsection 1, the Board may charge and collect a fee for the expedited processing of a request or for any other incidental service it provides. The fee must not exceed the cost to provide the service.

5. If an applicant submits an application for a license by endorsement pursuant to NRS 641.195, the Board shall charge and collect not more than the fee specified in subsection 1 for the issuance of an initial license.

6. If an applicant submits an application for a license by endorsement pursuant to NRS 641.196, the Board shall collect not more than one-half of the fee set forth in subsection 1 for the initial issuance of the license.

**7. If an applicant submits an application for initial registration as a psychological assistant, psychological intern or psychological trainee pursuant to section 5 of this act and the applicant has previously been registered as a psychological assistant, psychological intern or psychological trainee, the Board must waive the fee set forth in subsection 1 for the initial registration.**

**Sec. 10.** NRS 641.242 is hereby amended to read as follows:

641.242 1. If the Board receives a copy of a court order issued pursuant to NRS 425.540 that provides for the suspension of all professional,

occupational and recreational licenses, certificates and permits issued to a person who is the holder of a license *or registration* issued pursuant to this chapter, the Board shall deem the license *or registration* issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the Board receives a letter issued to the holder of the license by the district attorney or other public agency pursuant to NRS 425.550 stating that the holder of the license *or registration* has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

2. The Board shall reinstate a license *or registration* issued pursuant to this chapter that has been suspended by a district court pursuant to NRS 425.540 if the Board receives a letter issued by the district attorney or other public agency pursuant to NRS 425.550 to the person whose license *or registration* was suspended stating that the person whose license was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

**Sec. 11.** Chapter 422 of NRS is hereby amended by adding thereto a new section to read as follows:

*1. The Department, through the Division, may reimburse, under the State Plan for Medicaid and to the extent authorized by the Federal Government, any psychologist licensed pursuant to chapter 641 of NRS who supervises a psychological assistant, psychological intern or psychological trainee for such services rendered under the authorized scope of practice of the psychological assistant, psychological intern or psychological trainee to persons eligible to receive that assistance if another provider of health care would be reimbursed for providing those same services.*

*2. As used in this section:*

*(a) "Psychological assistant" has the meaning ascribed to it in section 2 of this act.*

*(b) "Psychological intern" has the meaning ascribed to it in section 3 of this act.*

*(c) "Psychological trainee" has the meaning ascribed to it in section 4 of this act.*

**Sec. 12.** This act becomes effective on July 1, 2017.

Assemblywoman Bustamante Adams moved the adoption of the amendment.

Remarks by Assemblywoman Bustamante Adams.

Amendment adopted.

Bill ordered reprinted, reengrossed and to third reading.

Senate Bill No. 163.

Bill read second time.

The following amendment was proposed by the Committee on Health and Human Services:

Amendment No. 715.

AN ACT relating to professional entities; **prohibiting owners of certain professional entities from engaging in certain acts relating to the professional services provided by persons engaged in the practice of medicine, homeopathic medicine, osteopathic medicine or psychology**; revising provisions governing the formation of professional entities to provide specific types of professional services; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law provides that a professional entity may be organized only for the purpose of rendering one specific type of professional service. Existing law also provides certain exceptions to the requirement that a professional entity only provide one type of professional service. (NRS 89.050) ~~(This)~~ **Section 2 of this** bill expands the exception of forming a professional entity for the provision of services relating to medicine, homeopathy and osteopathy to include ~~mental health services, which includes~~ **services relating to** the practice of psychology, ~~clinical social work, psychiatric nursing, marriage and family therapy and clinical professional counseling.~~ Such a professional entity may be composed of persons engaged in the practice of medicine, homeopathic medicine, ~~and~~ osteopathic medicine and ~~providing mental health services.~~ **psychology. Section 1 of this bill prohibits an owner of such a professional entity from engaging in certain acts relating to the professional services provided by persons engaged in those professions, including an act that interferes with the professional judgment of such persons.**

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

**Section 1. Chapter 89 of NRS is hereby amended by adding thereto a new section to read as follows:**

**An owner of a professional entity organized pursuant to paragraph (b) of subsection 2 of NRS 89.050 shall not:**

**1. Create a policy or contract, written or otherwise, to restrict or prohibit the good faith communication between a patient and a person licensed pursuant to chapter 630, 630A, 633 or 641 of NRS, concerning the patient's medical records, health care, risks or benefits of such health care or treatment options.**

**2. Influence or interfere with the professional judgment of a person licensed pursuant to chapter 630, 630A, 633 or 641 of NRS, including, without limitation, the professional judgment of such a person concerning:**

**(a) The care of a patient;**  
**(b) The custodian of the medical records of a patient;**  
**(c) Employment decisions, including hiring or terminating an employee;**

**or**

**(d) Coding or billing procedures.**

3. Terminate a contract or refuse to renew a contract with a person licensed pursuant to 630, 630A, 633 or 641 of NRS because the person:

- (a) Advocates on behalf of a patient in private or public;
- (b) Assists a patient in seeking reconsideration of a denial of coverage of health care services; or
- (c) Reports a violation of law to an appropriate authority.

4. Require a person licensed pursuant to chapter 630, 630A, 633 or 641 of NRS to:

- (a) Provide professional services to a specified number of patients within a particular amount of time; or
- (b) Work a certain number of hours in a specified period of time.

5. Require a person licensed pursuant to chapter 630, 630A, 633 or 641 of NRS to obtain the approval or review of a contract by a third party, including, without limitation, a provider of insurance.

~~[Section 4.]~~ **Sec. 2.** NRS 89.050 is hereby amended to read as follows:

89.050 1. Except as otherwise provided in subsection 2, a professional entity may be organized only for the purpose of rendering one specific type of professional service and may not engage in any business other than rendering the professional service for which it was organized and services reasonably related thereto, except that a professional entity may own real and personal property appropriate to its business and may invest its money in any form of real property, securities or any other type of investment.

2. A professional entity may be organized to render a professional service relating to:

(a) Architecture, interior design, residential design, engineering and landscape architecture, or any combination thereof, and may be composed of persons:

(1) Engaged in the practice of architecture as provided in chapter 623 of NRS;

(2) Practicing as a registered interior designer as provided in chapter 623 of NRS;

(3) Engaged in the practice of residential design as provided in chapter 623 of NRS;

(4) Engaged in the practice of landscape architecture as provided in chapter 623A of NRS; and

(5) Engaged in the practice of professional engineering as provided in chapter 625 of NRS.

(b) Medicine, homeopathy, ~~and~~ osteopathy ~~and~~ ~~mental health,~~ ~~psychology,~~ or any combination thereof, and may be composed of persons engaged in the practice of ~~[medicine]~~ :

(1) **Medicine** as provided in chapter 630 of NRS ~~[persons engaged in the practice of homeopathic]~~ ;

(2) **Homeopathic** medicine as provided in chapter 630A of NRS ~~and persons engaged in the practice of osteopathic]~~ ;

(3) **Osteopathic** medicine as provided in chapter 633 of NRS ~~]; and~~

(4) Psychology and licensed to provide services pursuant to chapter 641 of NRS.

↳ Such a professional entity may market and manage additional professional entities which are organized to render a professional service relating to medicine, homeopathy, ~~and~~ osteopathy ~~[-]~~ and psychology.

(c) Mental health services, and may be composed of the following persons, in any number and in any combination:

(1) ~~I and~~

~~(1) Providing mental health services, which includes:~~

~~(I)~~ Any psychologist who is licensed to practice in this State;

(2) ~~(II)~~ Any social worker who holds a master's degree in social work and who is licensed by this State as a clinical social worker;

(3) ~~(III)~~ Any registered nurse who is licensed to practice professional nursing in this State and who holds a master's degree in the field of psychiatric nursing;

(4) ~~(IV)~~ Any marriage and family therapist who is licensed by this State pursuant to chapter 641A of NRS; and

(5) ~~(V)~~ Any clinical professional counselor who is licensed by this State pursuant to chapter 641A of NRS.

↳ Such a professional entity may market and manage additional professional entities which are organized to render a professional service relating to ~~medicine, homeopathy, osteopathy and~~ mental health services pursuant to this paragraph.

3. A professional entity may render a professional service only through its officers, managers and employees who are licensed or otherwise authorized by law to render the professional service.

Assemblyman Sprinkle moved the adoption of the amendment.

Remarks by Assemblyman Sprinkle.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 258.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 765.

AN ACT relating to common-interest communities; establishing the requirements for a written notice to request ~~an owner or a tenant to cure~~ **the curing of** a violation of the governing documents of an association without imposition of a fine; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

If an owner or a tenant or an invitee of the owner or tenant violates a provision of the governing documents of an association, existing law allows the executive board of the common-interest community to prohibit the owner, tenant or invitee from voting on matters related to the common-interest community or using the common elements. Existing law also permits

the executive board to impose a fine on the owner, tenant or invitee for each such violation under certain circumstances. (NRS 116.31031) This bill authorizes an executive board to send a written notice to cure an alleged violation of a provision of the governing documents to an owner and ~~the tenant~~, **if different, a person responsible for curing the alleged violation**, without the imposition of a fine. This bill also requires that any such written notice meet certain requirements.

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

**Section 1.** NRS 116.31031 is hereby amended to read as follows:

116.31031 1. Except as otherwise provided in this section, if a unit's owner or a tenant or an invitee of a unit's owner or a tenant violates any provision of the governing documents of an association, the executive board may, if the governing documents so provide:

(a) Prohibit, for a reasonable time, the unit's owner or the tenant or the invitee of the unit's owner or the tenant from:

(1) Voting on matters related to the common-interest community.

(2) Using the common elements. The provisions of this subparagraph do not prohibit the unit's owner or the tenant or the invitee of the unit's owner or the tenant from using any vehicular or pedestrian ingress or egress to go to or from the unit, including any area used for parking.

(b) Impose a fine against the unit's owner or the tenant or the invitee of the unit's owner or the tenant for each violation, except that:

(1) A fine may not be imposed for a violation that is the subject of a construction penalty pursuant to NRS 116.310305; and

(2) A fine may not be imposed against a unit's owner or a tenant or invitee of a unit's owner or a tenant for a violation of the governing documents which involves a vehicle and which is committed by a person who is delivering goods to, or performing services for, the unit's owner or tenant or invitee of the unit's owner or the tenant.

➔ If the violation poses an imminent threat of causing a substantial adverse effect on the health, safety or welfare of the units' owners or residents of the common-interest community, the amount of the fine must be commensurate with the severity of the violation and must be determined by the executive board in accordance with the governing documents. If the violation does not pose an imminent threat of causing a substantial adverse effect on the health, safety or welfare of the units' owners or residents of the common-interest community, the amount of the fine must be commensurate with the severity of the violation and must be determined by the executive board in accordance with the governing documents, but the amount of the fine must not exceed \$100 for each violation or a total amount of \$1,000, whichever is less. The limitations on the amount of the fine do not apply to any charges or costs that may be collected by the association pursuant to this section if the fine becomes past due.

*(c) Send a written notice to cure an alleged violation, without the imposition of a fine, to the unit's owner and, if different, the ~~tenant of the unit's owner requesting~~ person responsible for curing the alleged violation. ~~[be cured without the imposition of a fine.]~~ Any such written notice must:*

*(1) Include an explanation of the applicable provisions of the governing documents that form the basis of the alleged violation;*

*(2) Specify in detail the alleged violation and the proposed action to cure the alleged violation;*

*(3) Provide a clear and detailed photograph of the alleged violation, if the alleged violation relates to the physical condition of the unit or the grounds of the unit or an act or a failure to act of which it is possible to obtain a photograph; and*

*(4) Provide the unit's owner or the tenant a reasonable opportunity to cure the alleged violation before the executive board may take additional actions, including, without limitation, other remedies available pursuant to this section.*

2. The executive board may not impose a fine pursuant to subsection 1 against a unit's owner for a violation of any provision of the governing documents of an association committed by an invitee of the unit's owner or the tenant unless the unit's owner:

(a) Participated in or authorized the violation;

(b) Had prior notice of the violation; or

(c) Had an opportunity to stop the violation and failed to do so.

3. If the association adopts a policy imposing fines for any violations of the governing documents of the association, the secretary or other officer specified in the bylaws shall prepare and cause to be hand-delivered or sent prepaid by United States mail to the mailing address of each unit or to any other mailing address designated in writing by the unit's owner, a schedule of the fines that may be imposed for those violations.

4. The executive board may not impose a fine pursuant to subsection 1 unless:

(a) Not less than 30 days before the alleged violation, the unit's owner and, if different, the person against whom the fine will be imposed had been provided with written notice of the applicable provisions of the governing documents that form the basis of the alleged violation; and

(b) Within a reasonable time after the discovery of the alleged violation, the unit's owner and, if different, the person against whom the fine will be imposed has been provided with:

(1) Written notice:

(I) Specifying in detail the alleged violation, the proposed action to cure the alleged violation, the amount of the fine, and the date, time and location for a hearing on the alleged violation; and

(II) Providing a clear and detailed photograph of the alleged violation, if the alleged violation relates to the physical condition of the unit

or the grounds of the unit or an act or a failure to act of which it is possible to obtain a photograph; and

(2) A reasonable opportunity to cure the alleged violation or to contest the alleged violation at the hearing.

↪ For the purposes of this subsection, a unit's owner shall not be deemed to have received written notice unless written notice is mailed to the address of the unit and, if different, to a mailing address specified by the unit's owner.

5. The executive board must schedule the date, time and location for the hearing on the alleged violation so that the unit's owner and, if different, the person against whom the fine will be imposed is provided with a reasonable opportunity to prepare for the hearing and to be present at the hearing.

6. The executive board must hold a hearing before it may impose the fine, unless the fine is paid before the hearing or unless the unit's owner and, if different, the person against whom the fine will be imposed:

(a) Executes a written waiver of the right to the hearing; or

(b) Fails to appear at the hearing after being provided with proper notice of the hearing.

7. If a fine is imposed pursuant to subsection 1 and the violation is not cured within 14 days, or within any longer period that may be established by the executive board, the violation shall be deemed a continuing violation. Thereafter, the executive board may impose an additional fine for the violation for each 7-day period or portion thereof that the violation is not cured. Any additional fine may be imposed without providing the opportunity to cure the violation and without the notice and an opportunity to be heard required by paragraph (b) of subsection 4.

8. If the governing documents so provide, the executive board may appoint a committee, with not less than three members, to conduct hearings on alleged violations and to impose fines pursuant to this section. While acting on behalf of the executive board for those limited purposes, the committee and its members are entitled to all privileges and immunities and are subject to all duties and requirements of the executive board and its members.

9. A member of the executive board shall not participate in any hearing or cast any vote relating to a fine imposed pursuant to subsection 1 if the member has not paid all assessments which are due to the association by the member. If a member of the executive board:

(a) Participates in a hearing in violation of this subsection, any action taken at the hearing is void.

(b) Casts a vote in violation of this subsection, the vote is void.

10. The provisions of this section establish the minimum procedural requirements that the executive board must follow before it may impose a fine. The provisions of this section do not preempt any provisions of the governing documents that provide greater procedural protections.



11. Any past due fine must not bear interest, but may include any costs incurred by the association during a civil action to enforce the payment of the past due fine.

12. If requested by a person upon whom a fine was imposed, not later than 60 days after receiving any payment of a fine, an association shall provide to the person upon whom the fine was imposed a statement of the remaining balance owed.

Assemblyman Yeager moved the adoption of the amendment.

Remarks by Assemblyman Yeager.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 375.

Bill read second time and ordered to third reading.

Senate Bill No. 393.

Bill read second time.

The following amendment was proposed by the Committee on Corrections, Parole, and Probation:

Amendment No. 686.

SENATORS PARKS, SPEARMAN, SEGERBLUM, CANCELA; ATKINSON, DENIS, GOICOECHEA, MANENDO, RATTI AND WOODHOUSE

JOINT SPONSORS: ASSEMBLYMEN OHRENSCHALL ~~AND~~ OSCARSON ~~AND WHEELER~~

AN ACT relating to prisons; ~~requiring the Director of the Department of Corrections to develop standards for acquiring certain goods and services provided by programs for offenders without complying with certain state purchasing requirements; authorizing the Director to purchase those goods and services in accordance with certain state purchasing requirements; deleting~~ revising certain provisions which prohibit an offender from engaging in telemarketing or conducting opinion polls by telephone; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

~~Under existing law, the provisions of chapter 333 of NRS, known as the State Purchasing Act, set forth general procedures and requirements for the purchase of supplies, materials, equipment and services by agencies of the State. (Chapter 333 of NRS) The Administrator of the Purchasing Division of the Department of Administration is responsible for developing standard specifications for supplies, materials and equipment purchased for the various agencies. (NRS 333.210) Section 1 of this bill requires the Director of the Department of Corrections to develop and establish standard specifications for acquiring supplies, materials, equipment and services used or required by the Department which may be provided by programs conducted by the prisons within the Department which provide services and manufacturing by offenders. Section 1 also authorizes the Director to~~

~~purchase from those programs, subject to the provisions of the State Purchasing Act, supplies, materials, equipment and services used or required by the Department for which standard specifications have been established by the Director, if the supplies, materials, equipment and services meet the applicable specifications.]~~

Existing law requires the Director of the Department of Corrections, to the extent practicable, to require each offender to spend 40 hours each week in vocational training or employment, with certain exceptions for offenders whose behavior is found to preclude participation, offenders who have medical concerns and offenders who attend educational classes. An offender may not engage in vocational training, employment or a business that requires or permits the offender to telemarket or conduct opinion polls by telephone. (NRS 209.461) **Section 2** of this bill ~~[deletes]~~ revises the prohibition on telemarketing and conducting **opinion polls to provide that an offender may not telemarket or conduct** opinion polls by telephone ~~[~~ **Section 2** also requires the Director to pay for services provided by offenders to the Department and purchase goods manufactured by offenders for the Department as are newly authorized in section 1, and to not include the costs to the Department of paying for such services and goods when calculating the profit and loss determination regarding the programs for the employment of offenders that is required of the Department.] **unless the offender is supervised and such telephone calls are monitored.**

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

**Section 1.** ~~[Chapter 209 of NRS is hereby amended by adding thereto a new section to read as follows:~~

~~**1.** *Notwithstanding the provisions of chapter 333 of NRS, the Director shall develop and establish standard specifications for acquiring supplies, materials, equipment and services used or required by the Department which may be provided by programs for services and manufacturing by offenders which are conducted by the institutions.*~~

~~**2.** *The Director may, in accordance with the provisions of chapter 333 of NRS, purchase from programs specified in subsection 1 any supplies, materials, equipment and services used or required by the Department for which standard specifications have been established pursuant to subsection 1, if the supplies, materials, equipment and services meet the applicable specifications.] (Deleted by amendment.)*~~

**Sec. 2.** NRS 209.461 is hereby amended to read as follows:

209.461 1. The Director shall:

(a) To the greatest extent possible, approximate the normal conditions of training and employment in the community.

(b) Except as otherwise provided in this section, to the extent practicable, require each offender, except those whose behavior is found by the Director to preclude participation, to spend 40 hours each week in vocational training

or employment, unless excused for a medical reason or to attend educational classes in accordance with NRS 209.396. The Director shall require as a condition of employment that an offender sign an authorization for the deductions from his or her wages made pursuant to NRS 209.463. Authorization to make the deductions pursuant to NRS 209.463 is implied from the employment of an offender and a signed authorization from the offender is not required for the Director to make the deductions pursuant to NRS 209.463.

(c) Use the earnings from services and manufacturing conducted by the institutions and the money paid by private employers who employ the offenders to offset the costs of operating the prison system and to provide wages for the offenders being trained or employed.

(d) Provide equipment, space and management for services and manufacturing by offenders.

(e) Employ craftsmen and other personnel to supervise and instruct offenders.

(f) Contract with governmental agencies and private employers for the employment of offenders, including their employment on public works projects under contracts with the State and with local governments.

(g) Contract for the use of offenders' services and for the sale of goods manufactured by offenders.

(h) ~~Pay for services provided to the Department by offenders and purchase goods manufactured by offenders for the Department that meet the standard specifications established pursuant to section 1 of this act.~~

~~(i)~~ On or before January 1, 2014, and every 5 years thereafter, submit a report to the Director of the Legislative Counsel Bureau for distribution to the Committee on Industrial Programs. The report must include, without limitation, an analysis of existing contracts with private employers for the employment of offenders and the potential impact of those contracts on private industry in this State.

(i) ~~(j)~~ Submit a report to each meeting of the Interim Finance Committee identifying any accounts receivable related to a program for the employment of offenders.

2. Every program for the employment of offenders established by the Director must:

- (a) Employ the maximum number of offenders possible;
- (b) Except as otherwise provided in NRS 209.192, provide for the use of money produced by the program to reduce the cost of maintaining the offenders in the institutions;
- (c) Have an insignificant effect on the number of jobs available to the residents of this State; and
- (d) Provide occupational training for offenders.

3. An offender may not engage in vocational training, employment or a business that requires or permits the offender to :

(a) Telemarket or conduct opinion polls by telephone ~~[-]~~ unless the offender is supervised and telephone calls are monitored; or

(b) Acquire, ~~acquire,~~ review, use or have control over or access to personal information concerning any person who is not incarcerated.

4. Each fiscal year, the cumulative profits and losses, if any, of the programs for the employment of offenders established by the Director must result in a profit for the Department. The following must not be included in determining whether there is a profit for the Department:

(a) Fees credited to the Fund for Prison Industries pursuant to NRS 482.268, any revenue collected by the Department for the leasing of space, facilities or equipment within the institutions or facilities of the Department, and any interest or income earned on the money in the Fund for Prison Industries.

(b) The selling expenses of the Central Administrative Office of the programs for the employment of offenders. As used in this paragraph, "selling expenses" means delivery expenses, salaries of sales personnel and related payroll taxes and costs, the costs of advertising and the costs of display models.

(c) The general and administrative expenses of the Central Administrative Office of the programs for the employment of offenders. As used in this paragraph, "general and administrative expenses" means the salary of the Deputy Director of Industrial Programs and the salaries of any other personnel of the Central Administrative Office and related payroll taxes and costs, the costs of telephone usage, and the costs of office supplies used and postage used.

~~[-] (d) The costs to the Department of purchasing services provided by offenders and goods manufactured by offenders pursuant to section 1 of this act. [-]~~

5. If any state-sponsored program incurs a net loss for 2 consecutive fiscal years, the Director shall appear before the Committee on Industrial Programs to explain the reasons for the net loss and provide a plan for the generation of a profit in the next fiscal year. If the program does not generate a profit in the third fiscal year, the Director shall take appropriate steps to resolve the issue.

6. Except as otherwise provided in subsection 3, the Director may, with the approval of the Board:

(a) Lease spaces and facilities within any institution of the Department to private employers to be used for the vocational training and employment of offenders.

(b) Grant to reliable offenders the privilege of leaving institutions or facilities of the Department at certain times for the purpose of vocational training or employment.

7. Before entering into any contract with a private employer for the employment of offenders pursuant to subsection 1, the Director shall obtain from the private employer:

(a) A personal guarantee to secure an amount fixed by the Director but not less than 100 percent of the prorated annual amount of the contract, a surety bond made payable to the State of Nevada in an amount fixed by the Director but not less than 100 percent of the prorated annual amount of the contract and conditioned upon the faithful performance of the contract in accordance with the terms and conditions of the contract, or a security agreement to secure any debt, obligation or other liability of the private employer under the contract, including, without limitation, lease payments, wages earned by offenders and compensation earned by personnel of the Department.

(b) A detailed written analysis on the estimated impact of the contract on private industry in this State. The written analysis must include, without limitation:

(1) The number of private companies in this State currently providing the types of products and services offered in the proposed contract.

(2) The number of residents of this State currently employed by such private companies.

(3) The number of offenders that would be employed under the contract.

(4) The skills that the offenders would acquire under the contract.

8. The provisions of this chapter do not create a right on behalf of the offender to employment or to receive the federal or state minimum wage for any employment and do not establish a basis for any cause of action against the State or its officers or employees for employment of an offender or for payment of the federal or state minimum wage to an offender.

9. As used in this section, “state-sponsored program” means a program for the vocational training or employment of offenders which does not include a contract of employment with a private employer.

**Sec. 3.** (Deleted by amendment.)

**Sec. 4.** This act becomes effective on July 1, 2017.

Assemblyman Ohrenschall moved the adoption of the amendment.

Remarks by Assemblyman Ohrenschall.

Amendment adopted.

Bill ordered reprinted, reengrossed and to third reading.

Senate Bill No. 400.

Bill read second time and ordered to third reading.

Senate Bill No. 434.

Bill read second time and ordered to third reading.

Senate Bill No. 480.

Bill read second time and ordered to third reading.

## MOTIONS, RESOLUTIONS AND NOTICES

Assemblywoman Carlton moved that upon return from the printer, Assembly Bill No. 374 be rereferred to the Committee on Ways and Means.

Motion carried.

Assemblywoman Carlton moved that Senate Bill No. 150 be rereferred to the Committee on Ways and Means.

Motion carried.

Assemblywoman Benitez-Thompson moved that Senate Bill No. 375 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

Assemblywoman Benitez-Thompson moved that Senate Bill No. 173 be taken from its position on the General File and placed at the top of the General File.

Motion carried.

Assemblywoman Benitez-Thompson moved that Senate Bill No. 322 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

Assemblywoman Benitez-Thompson moved that Assembly Bill No. 276 be taken from the Chief Clerk's desk and placed at the top of the General File.

Motion carried.

## GENERAL FILE AND THIRD READING

Assembly Bill No. 276.

Bill read third time.

The following amendment was proposed by Assemblywoman Spiegel:

Amendment No. 646.

AN ACT relating to employment; prohibiting an employer, employment agency or labor organization from discriminating against certain persons for inquiring about, discussing or voluntarily disclosing information about wages under certain circumstances; revising provisions governing noncompetition covenants; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law establishes certain employment practices as unlawful and prohibits certain employers, employment agencies and labor organizations from engaging in such practices. (NRS 613.330) With certain exceptions, this prohibition only applies to employers who have 15 or more employees for each working day in each of 20 or more calendar weeks, either in the same or the preceding calendar year as when an unlawful employment practice occurred. (NRS 613.310) ~~This~~ Section 3 of this bill prohibits such an employer, an employment agency or a labor organization from discriminating against a person with respect to employment or membership, as applicable,

for inquiring about, discussing or voluntarily disclosing information about wages. This provision does not apply to any person who has access to information about the wages of other persons as part of his or her essential job functions and discloses the information to a person who does not have access to that information, except as ordered by the Labor Commissioner or a court of competent jurisdiction.

Existing law also prohibits a person, association, company or corporation, or agent or officer thereof, from preventing any person who for any cause left or was discharged from their employ from obtaining employment elsewhere in this State. However, under existing law, a person, association, company or corporation, or agent or officer thereof, is not prohibited from negotiating, executing and enforcing an agreement with an employee which, upon termination of employment, prohibits the former employee from pursuing a similar vocation in competition with or becoming employed by a competitor of the former employer. (NRS 613.200) Section 2 of this bill removes this provision from existing law, allowing for noncompetition agreements. Section 1 of this bill adds requirements governing noncompetition covenants, providing that such covenants are void and unenforceable unless the covenant: (1) is supported by valuable consideration; (2) does not impose any restraint that is greater than is required for the protection of the employer; (3) does not impose any undue hardship on the employee; and (4) imposes restrictions that are appropriate in relation to the valuable consideration supporting the covenant. Section 1 further provides that a noncompetition covenant may not restrict a former employee of an employer from providing service to a former customer or client if: (1) the former employee did not solicit the former customer or client; (2) the customer or client voluntarily chose to leave and seek the services of the former employee; and (3) the former employee is otherwise complying with the noncompetition covenant. Section 1 also provides that if an employee is terminated because of a reduction in force, reorganization or similar restructuring, a noncompetition covenant is only enforceable during the time in which the employer is paying the employee's salary, benefits or equivalent compensation. Finally, section 1 provides that if an employer brings an action to enforce a noncompetition covenant and the court finds the covenant contains limitations that are not reasonable and impose a greater restraint than is necessary, the court shall revise the covenant to the extent necessary and enforce the covenant as revised.

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

*Section 1.* Chapter 613 of NRS is hereby amended by adding thereto a new section to read as follows:

1. A noncompetition covenant is void and unenforceable unless the noncompetition covenant:

- (a) Is supported by valuable consideration;
- (b) Does not impose any restraint that is greater than is required for the protection of the employer for whose benefit the restraint is imposed;
- (c) Does not impose any undue hardship on the employee; and
- (d) Imposes restrictions that are appropriate in relation to the valuable consideration supporting the noncompetition covenant.
2. A noncompetition covenant may not restrict a former employee of an employer from providing service to a former customer or client if:
- (a) The former employee did not solicit the former customer or client;
- (b) The customer or client voluntarily chose to leave and seek services from the former employee; and
- (c) The former employee is otherwise complying with the limitations in the covenant as to time, geographical area and scope of activity to be restrained, other than any limitation on providing services to a former customer or client who seeks the services of the former employee without any contact instigated by the former employee.
- ↳ Any provision in a noncompetition covenant which violates the provisions of this subsection is void and unenforceable.
3. An employer in this State who negotiates, executes or attempts to enforce a noncompetition covenant that is void and unenforceable under this section does not violate the provisions of NRS 613.200.
4. If the termination of the employment of an employee is the result of a reduction of force, reorganization or similar restructuring of the employer, a noncompetition covenant is only enforceable during the period in which the employer is paying the employee's salary, benefits or equivalent compensation, including, without limitation, severance pay.
5. If an employer brings an action to enforce a noncompetition covenant and the court finds the covenant is supported by valuable consideration but contains limitations as to time, geographical area or scope of activity to be restrained that are not reasonable, impose a greater restraint than is necessary for the protection of the employer for whose benefit the restraint is imposed and impose undue hardship on the employee, the court shall revise the covenant to the extent necessary and enforce the covenant as revised. Such revisions must cause the limitations contained in the covenant as to time, geographical area and scope of activity to be restrained to be reasonable and to impose a restraint that is not greater than is necessary for the protection of the employer for whose benefit the restraint is imposed.
6. As used in this section:
- (a) "Employer" means every person having control or custody of any employment, place of employment or any employee.
- (b) "Noncompetition covenant" means an agreement between an employer and employee which, upon termination of the employment of the employee, prohibits the employee from pursuing a similar vocation in competition with or becoming employed by a competitor of the employer.



**Sec. 2. NRS 613.200 is hereby amended to read as follows:**

613.200 1. Except as otherwise provided in this section ~~and~~ **and section 1 of this act,** any person, association, company or corporation within this State, or any agent or officer on behalf of the person, association, company or corporation, who willfully does anything intended to prevent any person who for any cause left or was discharged from his, her or its employ from obtaining employment elsewhere in this State is guilty of a gross misdemeanor and shall be punished by a fine of not more than \$5,000.

2. In addition to any other remedy or penalty, the Labor Commissioner may impose against each culpable party an administrative penalty of not more than \$5,000 for each such violation.

3. If a fine or an administrative penalty is imposed pursuant to this section, the costs of the proceeding, including investigative costs and attorney's fees, may be recovered by the Labor Commissioner.

4. The provisions of this section do not prohibit a person, association, company, corporation, agent or officer from negotiating, executing and enforcing an agreement with an employee of the person, association, company or corporation which, upon termination of the employment, prohibits the employee from ~~the~~

~~(a) Pursuing a similar vocation in competition with or becoming employed by a competitor of the person, association, company or corporation; or~~

~~(b) Disclosing~~ **disclosing** any trade secrets, business methods, lists of customers, secret formulas or processes or confidential information learned or obtained during the course of his or her employment with the person, association, company or corporation ~~the~~

~~if~~ if the agreement is supported by valuable consideration and is otherwise reasonable in its scope and duration.

~~Section 1.~~ **Sec. 3. NRS 613.330 is hereby amended to read as follows:**

613.330 1. Except as otherwise provided in NRS 613.350, it is an unlawful employment practice for an employer:

(a) To fail or refuse to hire or to discharge any person, or otherwise to discriminate against any person with respect to the person's compensation, terms, conditions or privileges of employment, because of his or her race, color, religion, sex, sexual orientation, gender identity or expression, age, disability or national origin; ~~or~~

(b) To limit, segregate or classify an employee in a way which would deprive or tend to deprive the employee of employment opportunities or otherwise adversely affect his or her status as an employee, because of his or her race, color, religion, sex, sexual orientation, gender identity or expression, age, disability or national origin ~~the~~; ***or***

***(c) Except as otherwise provided in subsection 7, to discriminate against any employee because the employee has inquired about, discussed or voluntarily disclosed his or her wages or the wages of another employee.***

2. It is an unlawful employment practice for an employment agency : ~~to~~

(a) ~~Fail~~ **To fail** or refuse to refer for employment, or otherwise to discriminate against, any person because of the race, color, religion, sex, sexual orientation, gender identity or expression, age, disability or national origin of that person; ~~or~~

(b) ~~Classify~~ **To classify** or refer for employment any person on the basis of the race, color, religion, sex, sexual orientation, gender identity or expression, age, disability or national origin of that person ~~;~~ **or**

**(c) Except as otherwise provided in subsection 7, to discriminate against any person because the person has inquired about, discussed or voluntarily disclosed his or her wages or the wages of another person.**

3. It is an unlawful employment practice for a labor organization:

(a) To exclude or to expel from its membership, or otherwise to discriminate against, any person because of his or her race, color, religion, sex, sexual orientation, gender identity or expression, age, disability or national origin;

(b) To limit, segregate or classify its membership, or to classify or fail or refuse to refer for employment any person, in any way which would deprive or tend to deprive the person of employment opportunities, or would limit the person's employment opportunities or otherwise adversely affect the person's status as an employee or as an applicant for employment, because of his or her race, color, religion, sex, sexual orientation, gender identity or expression, age, disability or national origin; ~~or~~

**(c) Except as otherwise provided in subsection 7, to discriminate or take any other action prohibited by this section against any member thereof or any applicant for membership because the member or applicant has inquired about, discussed or voluntarily disclosed his or her wages or the wages of another member or applicant; or**

**(d) To cause or attempt to cause an employer to discriminate against any person in violation of this section.**

4. It is an unlawful employment practice for any employer, labor organization or joint labor-management committee controlling apprenticeship or other training or retraining, including, without limitation, on-the-job training programs, to discriminate against any person because of his or her race, color, religion, sex, sexual orientation, gender identity or expression, age, disability or national origin in admission to, or employment in, any program established to provide apprenticeship or other training.

5. Except as otherwise provided in subsection 6, it is an unlawful employment practice for any employer, employment agency, labor organization or joint labor-management committee to discriminate against a person with a disability by interfering, directly or indirectly, with the use of an aid or appliance, including, without limitation, a service animal, by such a person.

6. It is an unlawful employment practice for an employer, directly or indirectly, to refuse to permit an employee with a disability to keep the employee's service animal with him or her at all times in his or her place of

employment, except that an employer may refuse to permit an employee to keep a service animal that is a miniature horse with him or her if the employer determines that it is not reasonable to comply, using the assessment factors set forth in 28 C.F.R. § 36.302.

**7. *The provisions of paragraph (c) of subsection 1, paragraph (c) of subsection 2 and paragraph (c) of subsection 3, as applicable, do not apply to any person who has access to information about the wages of other persons as part of his or her essential job functions and discloses that information to a person who does not have access to that information unless the disclosure is ordered by the Labor Commissioner or a court of competent jurisdiction.***

**8.** As used in this section, “service animal” has the meaning ascribed to it in NRS 426.097.

~~{Sec. 2}~~ **Sec. 4.** This act becomes effective upon passage and approval.

Assemblywoman Spiegel moved the adoption of the amendment.

Remarks by Assemblywoman Spiegel.

Amendment adopted.

Bill ordered reprinted, reengrossed and to third reading.

Senate Bill No. 173.

Bill read third time.

Remarks by Assemblyman Flores.

ASSEMBLYMAN FLORES:

Senate Bill 173 eliminates the prevailing wage exemption for charter schools operating within the Achievement School District. It specifically makes prevailing wage requirements applicable to a contract or other agreement for the construction, improvement, repair, or demolition of any building, structure, or property that is or will be used by an achievement charter school if such a project is paid for in whole or in part from money in the capital improvement fund of the school district.

Roll call on Senate Bill No. 173:

YEAS—27.

NAYS—Paul Anderson, Edwards, Ellison, Hambrick, Hansen, Kramer, Krasner, Marchant, McArthur, Oscarson, Pickard, Titus, Tolles, Wheeler, Woodbury—15.

Senate Bill No. 173 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 181.

Bill read third time.

Remarks by Assemblyman Ohrenschall.

ASSEMBLYMAN OHRENSCHALL:

Assembly Bill 181 revises provisions governing the restoration of civil rights to resident offenders in this state. A probationer, parolee, or person who has completed his or her sentence and was released from prison, with certain exceptions is immediately restored his or her right to serve as a juror in a civil case and to vote after discharge from probation, discharge from parole, or release from prison unless the person was previously convicted of a category A felony or

certain category B felonies, in which case the person's right to vote is restored two years after discharge from probation, discharge from parole, or release from prison. The bill also allows for the restoration of the civil rights of a probationer or a parolee who receives a dishonorable discharge.

Roll call on Assembly Bill No. 181:

YEAS—29.

NAYS—Edwards, Ellison, Hambrick, Hansen, Kramer, Krasner, Marchant, McArthur, Oscarson, Titus, Tolles, Wheeler, Woodbury—13.

Assembly Bill No. 181 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 183.

Bill read third time.

Remarks by Assemblymen Ohrenschall and Watkins.

ASSEMBLYMAN OHRENSCHALL:

Assembly Bill 183 makes various changes to provisions concerning the collection of amounts payable to a hospital for patient care. Among other things, the bill limits the amount that a hospital may collect or attempt to collect from a patient or other responsible party under certain circumstances; requires a hospital to collect from a person's health insurance before collecting from a statutory lien; requires a hospital to provide notification to the injured person under certain circumstances prior to filing a lien; specifies the procedures a hospital must follow before perfecting a lien and provides that if the lien is perfected in violation of these procedures, the injured person is entitled to damages equal to twice the amount of the lien; and provides that any amount received from a lien constitutes the complete satisfaction of any debt owed by the injured person to the hospital for the care provided.

In your Judiciary Committee, there was testimony about patients who had been injured, in many cases in an auto accident, and would have a contract for insurance with the hospital that treated them. Testimony during the committee hearing was that often they were being billed, not at the contracted rate they had through the medical insurance they worked so hard to keep, but at the noncontracted rate. The chairman of your Judiciary Committee was kind enough to lend us the Wood Shed, and my colleagues from Assembly District 35 and from the double-deuce down in Henderson, and all the stakeholders got together. I cannot say we made everybody happy, but I think we tried to address a lot of the problems that are hurting injured parties. I want to thank my two colleagues from southern Nevada and the chairman of Judiciary, and I urge your support of this bill. I believe it will protect injured people in our state.

ASSEMBLYMAN WATKINS:

I rise in support of A.B. 183 and I want to add a few comments for clarification. What this bill would do is help to protect all Nevadans who are playing by the rules, who obtained health insurance. Their health insurance has a contract with the hospital and ensures that the hospital will bill their health insurance rather than take money out of their pocket. Currently, hospitals are allowed to file a lien—record a lien—against somebody who is involved in a car accident, even though it is not their fault. It goes on their credit; they have problems refinancing their house; they have problems refinancing their car or getting a loan. I do not think that is good policy. This bill seeks to protect those people and ensure that the hospital bills the health insurance.

We worked endless hours to find consensus on this bill, and unfortunately, we were not able to find it. What the opposition would like you to believe is that all we have to do is remove Medicare, Medicaid, and TRICARE from this and then this would be a good bill. I cannot disagree more with that. We have to protect our elderly. We have to protect our active duty military. We have to protect the veterans. If we allow those exceptions, we have to go back to

our constituents, to our parents, to our grandparents, and say You have to pay more than we do for the same service. I do not think that is right and I urge your support.

Roll call on Assembly Bill No. 183:

YEAS—27.

NAYS—Paul Anderson, Edwards, Ellison, Hambrick, Hansen, Kramer, Krasner, Marchant, McArthur, Oscarson, Pickard, Titus, Tolles, Wheeler, Woodbury—15.

Assembly Bill No. 183 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 498.

Bill read third time.

Remarks by Assemblyman Sprinkle.

ASSEMBLYMAN SPRINKLE:

Assembly Bill 498 makes an appropriation of \$351,938 from the State General Fund to the Division of Emergency Management of the Department of Public Safety for a joint field office to work with the Federal Emergency Management Agency on flood reimbursements related to the 2017 floods.

Roll call on Assembly Bill No. 498:

YEAS—42.

NAYS—None.

Assembly Bill No. 498 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 500.

Bill read third time.

Remarks by Assemblyman Oscarson.

ASSEMBLYMAN OSCARSON:

Assembly Bill 498 makes an appropriation of \$351,938 from the State General Fund to the Division of Emergency Management of the Department of Public Safety for a joint field office to work with the Federal Emergency Management Agency on flood reimbursements related to the 2017 floods.

Roll call on Assembly Bill No. 500:

YEAS—42.

NAYS—None.

Assembly Bill No. 500 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 46.

Bill read third time.

Remarks by Assemblyman Yeager.

ASSEMBLYMAN YEAGER:

Senate Bill 46 expands the list of offenses the Division of Public and Behavioral Health, Department of Health and Human Services, must identify as part of a background check for an applicant for a license to operate a child care facility, for employees or certain adult residents of such facilities, or a participant in an outdoor youth program. Offenses newly required to be

included in background checks include any crime against a child, arson, assault, battery, kidnapping, and certain drug-related offenses.

Roll call on Senate Bill No. 46:

YEAS—42.

NAYS—None.

Senate Bill No. 46 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 54.

Bill read third time.

Remarks by Assemblyman Kramer.

ASSEMBLYMAN KRAMER:

Senate Bill 54 authorizes all counties except Clark and Washoe to approve additional types of infrastructure projects for which the proceeds from a current one-quarter of 1 percent sales tax for infrastructure may be used. Specifically, the bill expands the authorized uses of the proceeds from this tax to include the acquisition, establishment, construction, expansion, improvement, or equipping of facilities related to health and welfare. The bill additionally authorizes these counties to use the infrastructure sales tax proceeds to pay the ongoing costs of operating and maintaining certain governmental facilities if such costs are related to services and supplies only and may not include any costs related to salaries and benefits. Finally, Senate Bill 54 specifies that if a county uses these proceeds for the additional purposes authorized by the bill, the county must conduct a review of its existing plan for the expenditure of these proceeds every four years. The act becomes effective on July 1, 2017.

Roll call on Senate Bill No. 54:

YEAS—42.

NAYS—None.

Senate Bill No. 54 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 64.

Bill read third time.

Remarks by Assemblyman Flores.

ASSEMBLYMAN FLORES:

Senate Bill 64 implements provisions required to comply with a Federal Aviation Administration directive concerning the use of airport revenue. Specifically, Senate Bill 64 requires the proceeds from taxes imposed on aviation fuel and fuel for jet or turbine-powered aircraft which are collected at privately owned airports to be transferred from the local county government to the private airport itself.

Roll call on Senate Bill No. 64:

YEAS—42.

NAYS—None.

Senate Bill No. 64 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 78.

Bill read third time.

Remarks by Assemblywoman Monroe-Moreno.

ASSEMBLYWOMAN MONROE-MORENO:

Senate Bill 78 authorizes a local government to transfer money from an enterprise fund to the general fund of the local government on or after July 1, 2021, for the purpose of subsidizing the general fund if on or before July 1, 2018, the Committee on Local Government Finance has approved a plan adopted by the governing body of the local government to eliminate such transfers, which includes, without limitation, a plan to reduce the amount of such transfers by at least 3.3 percent each fiscal year during the term of the plan, and the local government reduces the amount of the transfers in accordance with the plan. Each approved plan is subject to annual review by the Committee. This measure is effective on July 1, 2017.

Roll call on Senate Bill No. 78:

YEAS—42.

NAYS—None.

Senate Bill No. 78 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Mr. Speaker announced if there were no objections, the Assembly would recess subject to the call of the Chair.

Assembly in recess at 1:52 p.m.

#### ASSEMBLY IN SESSION

At 1:56 p.m.

Mr. Speaker presiding.

Quorum present.

#### MOTIONS, RESOLUTIONS AND NOTICES

Assemblywoman Benitez-Thompson moved that the Assembly reconsider the vote whereby Senate Bill No. 173 was passed.

Motion carried.

Assemblywoman Benitez-Thompson moved that Senate Bill No. 173 be taken from its position on the General File and placed at the top of the General File.

Motion carried.

#### GENERAL FILE AND THIRD READING

Senate Bill No. 173.

Bill read third time.

Remarks by Assemblyman Flores.

ASSEMBLYMAN FLORES:

Senate Bill 173 eliminates the prevailing wage exemption for charter schools operating within the Achievement School District. It specifically makes prevailing wage requirements applicable to a contract or other agreement for the construction, improvement, repair, or demolition of any building, structure, or property that is or will be used by an achievement charter school if such a

project is paid for in whole or in part from money in the capital improvement fund of the school district.

Roll call on Senate Bill No. 173:

YEAS—33.

NAYS—Ellison, Hambrick, Kramer, Krasner, McArthur, Titus, Wheeler, Woodbury—8.

EXCUSED—Swank.

Senate Bill No. 173 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

#### MOTIONS, RESOLUTIONS AND NOTICES

Assemblywoman Benitez-Thompson moved that Senate Bills Nos. 101, 116, 118, 127, 145, 156, 159, 191, 204, 215, 230, 245, 255, 268, 273, 279, 295, 305, 312, 314, 318, 322, 338, 339, 366, 369, 374, 376, 386, 411, 416, 422, 429, 447, 454, 464, 466, 469, 473, 476, 483, 493, 510, 513, and 515; Senate Joint Resolutions Nos. 4, 5, 8, and 13 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

#### UNFINISHED BUSINESS

#### CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 145.

The following Senate amendment was read:

Amendment No. 702.

ASSEMBLYMEN KRASNER, BUSTAMANTE ADAMS; BILBRAY-AXELROD, CARRILLO, JOINER, KRAMER, TITUS, TOLLES, WATKINS, WHEELER AND WOODBURY

JOINT ~~SPONSOR-SENATOR~~ **SPONSORS: SENATORS DENIS ; CANNIZZARO, GANSERT, GUSTAVSON, HARRIS AND KIECKHEFER**

AN ACT relating to civil actions; extending the statute of limitations for certain civil actions for damages to a person for injuries incurred as a child as a result of sexual abuse or pornography; and providing other matters properly relating thereto.

#### **Legislative Counsel's Digest:**

This bill extends the time by which a civil action to recover damages arising from the sexual abuse of a person who is less than 18 years of age must be commenced from 10 years to 20 years after the person reaches 18 years of age or discovers or should have discovered that an injury was caused by the sexual abuse, whichever is later. This bill also extends the time by which a civil action to recover damages arising from the appearance of a person who is less than 16 years of age in pornographic material must be commenced from 3 years to 20 years after the person reaches 18 years of age or after a court enters a verdict in a related criminal case, whichever is later.



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

**Section 1.** NRS 11.215 is hereby amended to read as follows:

11.215 1. Except as otherwise provided in subsection 2 and NRS 217.007, an action to recover damages for an injury to a person arising from the sexual abuse

of the plaintiff which occurred when the plaintiff was less than 18 years of age must be commenced within ~~10~~ 20 years after the plaintiff:

(a) Reaches 18 years of age; or

(b) Discovers or reasonably should have discovered that his or her injury was caused by the sexual abuse,  
↳ whichever occurs later.

2. An action to recover damages pursuant to NRS 41.1396 must be commenced within ~~3~~ 20 years after the occurrence of the following, whichever is later:

(a) The court enters a verdict in a related criminal case; or

(b) The victim reaches the age of 18 years.

3. As used in this section, “sexual abuse” has the meaning ascribed to it in NRS 432B.100.

**Sec. 2.** The period of limitations on actions set forth in NRS 11.215, as amended by section 1 of this act:

1. Applies to a cause of action that accrued before the effective date of this act, if the applicable period of limitations has commenced but not yet expired on the effective date of this act.

2. Must not be construed to revive any claim barred by a period of limitations.

**Sec. 3.** This act becomes effective upon passage and approval.

Assemblyman Yeager moved that the Assembly concur in the Senate Amendment No. 702 to Assembly Bill No. 145.

Remarks by Assemblyman Yeager.

ASSEMBLYMAN YEAGER:

The amendment adds sponsors to the bill.

Motion carried by a constitutional majority.

Bill ordered to enrollment.

Assembly Bill No. 105.

The following Senate amendment was read:

Amendment No. 762.

AN ACT relating to public health; revising continuing education requirements relating to suicide prevention and awareness for certain providers of health care; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law requires or encourages certain providers of health care, including physicians, physician assistants, advanced practice registered nurses, psychologists, behavior analysts, assistant behavior analysts, marriage and family therapists, clinical professional counselors, social workers, alcohol and drug abuse counselors and problem gambling counselors and certain interns related to these professions to receive at least 1 or 2 hours of continuing education in certain topics related to suicide prevention and awareness. (NRS 630.253, 632.343, 633.471, 641.220, 641A.260, 641B.280, 641C.450) **Sections 1-6** of this bill make mandatory continuing education requirements relating to suicide prevention and awareness for each of these providers of health care and requires the completion of a course of instruction on suicide prevention and awareness ~~every 4 years.~~ **at regular intervals.**

~~Section~~ **Sections 1 and 2.5** also ~~removes~~ **remove** the authority for certain persons who hold a license to practice medicine, including, without limitation, physicians, **osteopathic physicians** and psychiatrists, to substitute not more than 2 hours of continuing education in certain topics related to suicide prevention for an equivalent continuing education requirement in ethics. (NRS 630.253, ~~and~~, **633.471**)

**Section 9** of this bill repeals the prospective expiration of the existing requirement for a physician and osteopathic physician to complete a course of instruction on suicide prevention and awareness. **Section 9** also repeals a provision to remove the prospective expiration of the requirement for psychologists, behavior analysts and assistant behavior analysts to complete a course of instruction on suicide prevention and awareness.

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

**Section 1.** NRS 630.253 is hereby amended to read as follows:

630.253 1. The Board shall, as a prerequisite for the:

- (a) Renewal of a license as a physician assistant; or
  - (b) Biennial registration of the holder of a license to practice medicine,
- ↪ require each holder to submit evidence of compliance with the requirements for continuing education as set forth in regulations adopted by the Board.

2. These requirements:

(a) May provide for the completion of one or more courses of instruction relating to risk management in the performance of medical services.

(b) Must provide for the completion of a course of instruction, within 2 years after initial licensure, relating to the medical consequences of an act of terrorism that involves the use of a weapon of mass destruction. The course must provide at least 4 hours of instruction that includes instruction in the following subjects:

- (1) An overview of acts of terrorism and weapons of mass destruction;
- (2) Personal protective equipment required for acts of terrorism;
- (3) Common symptoms and methods of treatment associated with exposure to, or injuries caused by, chemical, biological, radioactive and nuclear agents;
- (4) Syndromic surveillance and reporting procedures for acts of terrorism that involve biological agents; and
- (5) An overview of the information available on, and the use of, the Health Alert Network.

(c) Must provide for the completion by a holder of a license to practice medicine ~~[who is a psychiatrist]~~ of a course of instruction *within 2 years after initial licensure* that provides at least 2 hours of instruction on ~~[clinically based]~~ *evidence-based* suicide prevention and awareness ~~[ ]~~ *as described in subsection 5.*

↪ The Board may thereafter determine whether to include in a program of continuing education additional courses of instruction relating to the medical consequences of an act of terrorism that involves the use of a weapon of mass destruction.

3. The Board shall encourage each holder of a license who treats or cares for persons who are more than 60 years of age to receive, as a portion of their continuing education, education in geriatrics and gerontology, including such topics as:

- (a) The skills and knowledge that the licensee needs to address aging issues;
- (b) Approaches to providing health care to older persons, including both didactic and clinical approaches;
- (c) The biological, behavioral, social and emotional aspects of the aging process; and
- (d) The importance of maintenance of function and independence for older persons.

4. The Board shall encourage each holder of a license to practice medicine to receive, as a portion of his or her continuing education, training concerning methods for educating patients about how to effectively manage medications, including, without limitation, the ability of the patient to request to have the symptom or purpose for which a drug is prescribed included on the label attached to the container of the drug.

5. The Board shall ~~[encourage]~~ *require* each holder of a license to practice medicine ~~[, other than a psychiatrist,]~~ to receive as a portion of his or her continuing education ~~[training concerning suicide, including,]~~ *at least 2 hours of instruction every 4 years on evidence-based suicide prevention and awareness, which may include,* without limitation, ~~[such topics as:]~~ *instruction concerning:*

- (a) The skills and knowledge that the licensee needs to detect behaviors that may lead to suicide, including, without limitation, post-traumatic stress disorder;

(b) Approaches to engaging other professionals in suicide intervention; and

(c) The detection of suicidal thoughts and ideations and the prevention of suicide.

6. A holder of a license to practice medicine may *not* substitute ~~not more than 2 hours of~~ *the* continuing education credits ~~in the detection of suicidal thoughts and ideations, and the intervention and prevention of suicide, pain management or addiction care~~ *relating to suicide prevention and awareness required by this section* for the purposes of satisfying an equivalent requirement for continuing education in ethics.

7. *A holder of a license to practice medicine may substitute not more than 2 hours of continuing education credits in pain management or addiction care for the purposes of satisfying an equivalent requirement for continuing education in ethics.*

8. As used in this section:

(a) “Act of terrorism” has the meaning ascribed to it in NRS 202.4415.

(b) “Biological agent” has the meaning ascribed to it in NRS 202.442.

(c) “Chemical agent” has the meaning ascribed to it in NRS 202.4425.

(d) “Radioactive agent” has the meaning ascribed to it in NRS 202.4437.

(e) “Weapon of mass destruction” has the meaning ascribed to it in NRS 202.4445.

**Sec. 2.** NRS 632.343 is hereby amended to read as follows:

632.343 1. The Board shall not renew any license issued under this chapter until the licensee has submitted proof satisfactory to the Board of completion, during the 2-year period before renewal of the license, of 30 hours in a program of continuing education approved by the Board in accordance with regulations adopted by the Board. ~~The~~ *Except as otherwise provided in subsection 3, the* licensee is exempt from this provision for the first biennial period after graduation from:

(a) An accredited school of professional nursing;

(b) An accredited school of practical nursing;

(c) An approved school of professional nursing in the process of obtaining accreditation; or

(d) An approved school of practical nursing in the process of obtaining accreditation.

2. The Board shall review all courses offered to nurses for the completion of the requirement set forth in subsection 1. The Board may approve nursing and other courses which are directly related to the practice of nursing as well as others which bear a reasonable relationship to current developments in the field of nursing or any special area of practice in which a licensee engages. These may include academic studies, workshops, extension studies, home study and other courses.

3. The program of continuing education required by subsection 1 must include :

(a) *For a person licensed as an advanced practice registered nurse, a course of instruction to be completed within 2 years after initial licensure that provides at least 2 hours of instruction on suicide prevention and awareness as described in subsection 5.*

(b) *For each person licensed pursuant to this chapter, a course of instruction, to be completed within 2 years after initial licensure, relating to the medical consequences of an act of terrorism that involves the use of a weapon of mass destruction. The course must provide at least 4 hours of instruction that includes instruction in the following subjects:*

~~[(a)]~~ (1) An overview of acts of terrorism and weapons of mass destruction;

~~[(b)]~~ (2) Personal protective equipment required for acts of terrorism;

~~[(c)]~~ (3) Common symptoms and methods of treatment associated with exposure to, or injuries caused by, chemical, biological, radioactive and nuclear agents;

~~[(d)]~~ (4) Syndromic surveillance and reporting procedures for acts of terrorism that involve biological agents; and

~~[(e)]~~ (5) An overview of the information available on, and the use of, the Health Alert Network.

➔ The Board may thereafter determine whether to include in a program of continuing education additional courses of instruction relating to the medical consequences of an act of terrorism that involves the use of a weapon of mass destruction.

4. The Board shall encourage each licensee who treats or cares for persons who are more than 60 years of age to receive, as a portion of their continuing education, education in geriatrics and gerontology, including such topics as:

(a) The skills and knowledge that the licensee needs to address aging issues;

(b) Approaches to providing health care to older persons, including both didactic and clinical approaches;

(c) The biological, behavioral, social and emotional aspects of the aging process; and

(d) The importance of maintenance of function and independence for older persons.

5. The Board shall ~~encourage~~ **require** each person licensed as an advanced practice registered nurse to receive as a portion of his or her continuing education at least 2 hours of instruction **every 4 years** on ~~clinically based~~ **evidence-based** suicide prevention and awareness ~~or another course of instruction on suicide prevention and awareness that is approved by the Board which the Board has determined to be effective and appropriate.~~

6. As used in this section:

(a) “Act of terrorism” has the meaning ascribed to it in NRS 202.4415.

(b) “Biological agent” has the meaning ascribed to it in NRS 202.442.

(c) "Chemical agent" has the meaning ascribed to it in NRS 202.4425.

(d) "Radioactive agent" has the meaning ascribed to it in NRS 202.4437.

(e) "Weapon of mass destruction" has the meaning ascribed to it in NRS 202.4445.

**Sec. 2.5.** NRS 633.471 is hereby amended to read as follows:

633.471 1. Except as otherwise provided in subsection ~~8~~ 9 and NRS 633.491, every holder of a license issued under this chapter, except a temporary or a special license, may renew the license on or before January 1 of each calendar year after its issuance by:

(a) Applying for renewal on forms provided by the Board;

(b) Paying the annual license renewal fee specified in this chapter;

(c) Submitting a list of all actions filed or claims submitted to arbitration or mediation for malpractice or negligence against the holder during the previous year;

(d) Submitting evidence to the Board that in the year preceding the application for renewal the holder has attended courses or programs of continuing education approved by the Board in accordance with regulations adopted by the Board totaling a number of hours established by the Board which must not be less than 35 hours nor more than that set in the requirements for continuing medical education of the American Osteopathic Association; and

(e) Submitting all information required to complete the renewal.

2. The Secretary of the Board shall notify each licensee of the requirements for renewal not less than 30 days before the date of renewal.

3. The Board shall request submission of verified evidence of completion of the required number of hours of continuing medical education annually from no fewer than one-third of the applicants for renewal of a license to practice osteopathic medicine or a license to practice as a physician assistant. Upon a request from the Board, an applicant for renewal of a license to practice osteopathic medicine or a license to practice as a physician assistant shall submit verified evidence satisfactory to the Board that in the year preceding the application for renewal the applicant attended courses or programs of continuing medical education approved by the Board totaling the number of hours established by the Board.

4. *The Board shall require each holder of a license to practice osteopathic medicine to complete a course of instruction within ~~1 year~~ 2 years after initial licensure that provides at least 2 hours of instruction on evidence-based suicide prevention and awareness as described in subsection 7.*

5. The Board shall encourage each holder of a license to practice osteopathic medicine to receive, as a portion of his or her continuing education, training concerning methods for educating patients about how to effectively manage medications, including, without limitation, the ability of the patient to request to have the symptom or purpose for which a drug is prescribed included on the label attached to the container of the drug.

~~{5.}~~ 6. The Board shall require, as part of the continuing education requirements approved by the Board, the biennial completion by a holder of a license to practice osteopathic medicine of ~~{-~~

~~{(a) At}~~ at least 2 hours of continuing education credits in ethics, pain management or addiction care. ~~{-and~~

~~{(b) If the holder of a license to practice osteopathic medicine is a psychiatrist, at least 2 hours of continuing education credits on clinically-based suicide prevention and awareness.~~

~~{6.}~~ 7. The Board shall ~~{encourage}~~ **require** each holder of a license to practice osteopathic medicine ~~{, other than a psychiatrist,}~~ to receive as a portion of his or her continuing education ~~{training concerning suicide, including,}~~ **at least 2 hours of instruction every 4 years on evidence-based suicide prevention and awareness which may include,** without limitation, ~~{such topics as:}~~ **instruction concerning:**

(a) The skills and knowledge that the licensee needs to detect behaviors that may lead to suicide, including, without limitation, post-traumatic stress disorder;

(b) Approaches to engaging other professionals in suicide intervention; and

(c) The detection of suicidal thoughts and ideations and the prevention of suicide.

~~{7.}~~ 8. A holder of a license to practice osteopathic medicine may **not** substitute ~~{not more than 2 hours of}~~ **the** continuing education credits ~~{in the detection of suicidal thoughts and ideations, and the intervention and prevention of suicide}~~ **relating to suicide prevention and awareness required by this section** for the purposes of satisfying an equivalent requirement for continuing education in ethics.

~~{8.}~~ 9. Members of the Armed Forces of the United States and the United States Public Health Service are exempt from payment of the annual license renewal fee during their active duty status.

**Sec. 3.** NRS 641.220 is hereby amended to read as follows:

641.220 1. To renew a license issued pursuant to this chapter, each person must, on or before the first day of January of each odd-numbered year:

(a) Apply to the Board for renewal;

(b) Pay the biennial fee for the renewal of a license;

(c) Submit evidence to the Board of completion of the requirements for continuing education as set forth in regulations adopted by the Board; and

(d) Submit all information required to complete the renewal.

2. Upon renewing his or her license, a psychologist shall declare his or her areas of competence, as determined in accordance with NRS 641.112.

3. The Board shall, as a prerequisite for the renewal of a license, require each holder to comply with the requirements for continuing education adopted by the Board. ~~{, which}~~

**4. The requirements for continuing education adopted by the Board pursuant to subsection 3** must include, without limitation, a requirement that the holder of a license receive at least 2 hours of instruction on evidence-based suicide prevention and awareness ~~[ ]~~ **or another course of instruction on suicide prevention and awareness that is approved by the Board which the Board has determined to be effective and appropriate. The hours of instruction required by this subsection must be completed within 2 years after initial licensure and at least every 4 years thereafter.**

**Sec. 4.** NRS 641A.260 is hereby amended to read as follows:

641A.260 1. To renew a license issued pursuant to this chapter, each person must, on or before the date of expiration of the current license:

- (a) Apply to the Board for renewal;
- (b) Pay the fee for renewal set by the Board;
- (c) Submit evidence to the Board of completion of the requirements for continuing education as set forth in regulations adopted by the Board; and
- (d) Submit all information required to complete the renewal.

2. The Board shall, as a prerequisite for the renewal of a license, require each holder to comply with the requirements for continuing education adopted by the Board, which must include, without limitation, a requirement that the holder receive at least 2 hours of instruction on evidence-based suicide prevention and awareness ~~[ ]~~ **or another course of instruction on suicide prevention and awareness that is approved by the Board which the Board has determined to be effective and appropriate.**

**Sec. 5.** NRS 641B.280 is hereby amended to read as follows:

641B.280 1. Every holder of a license issued pursuant to this chapter may renew his or her license annually by:

- (a) Applying to the Board for renewal;
- (b) Paying the annual renewal fee set by the Board;
- (c) Submitting evidence to the Board of completion of the required continuing education as set forth in regulations adopted by the Board; and
- (d) Submitting all information required to complete the renewal.

2. The Board shall, as a prerequisite for the renewal of a license, require the holder to comply with the requirements for continuing education adopted by the Board, which must include, without limitation, a requirement that the holder receive at least 2 hours of instruction on evidence-based suicide prevention and awareness ~~[ ]~~ **or another course of instruction on suicide prevention and awareness that is approved by the Board which the Board has determined to be effective and appropriate.**

**Sec. 6.** NRS 641C.450 is hereby amended to read as follows:

641C.450 Except as otherwise provided in NRS 641C.310, 641C.320, 641C.440 and 641C.530, a person may renew his or her license or certificate by submitting to the Board:

1. An application for the renewal of the license or certificate;
2. The fee for the renewal of a license or certificate prescribed in NRS 641C.470;



3. Evidence of completion of the continuing education required by the Board, which must include, without limitation, a requirement that the applicant receive at least 1 hour of instruction on evidence-based suicide prevention and awareness *or another course of instruction on suicide prevention and awareness that is approved by the Board which the Board has determined to be effective and appropriate* for each year of the term of the applicant's licensure or certification;

4. If the applicant is a certified intern, the name of the licensed or certified counselor who supervises the applicant; and

5. All information required to complete the renewal.

**Sec. 7.** Section 6 of chapter 403, Statutes of Nevada 2015, at page 2289, is hereby amended to read as follows:

Sec. 6. 1. This section and sections 1, 1.5, 2, 3, 4, 5, 5.3 and 5.7 of this act become effective on July 1, 2016.

2. Sections 5.3 and 5.7 of this act expire by limitation on June 30, 2026.

3. Sections ~~[1.3, 2.5, 3.5,]~~ 4.5 and 5.1 of this act become effective on July 1, 2026.

**Sec. 8.** A person who is:

1. Licensed to practice medicine pursuant to the provisions of chapter 630 of NRS;

2. Licensed as an advanced practice registered nurse pursuant to the provisions of chapter 632 of NRS;

3. Licensed to practice osteopathic medicine pursuant to the provisions of chapter 633 of NRS; or

4. Licensed pursuant to the provisions of chapter 641 of NRS,  
 ↪ and who has previously renewed his or her license before July 1, 2017, shall complete a course of instruction on suicide prevention and awareness as required pursuant to NRS 630.253, 632.343, 633.471 or 641.220, as amended by sections 1, 2, 2.5 and 3 of this act, as applicable, by July 1, 2018, or before the date on which the license of the person must next be renewed, whichever is later.

**Sec. 9.** Sections 1.3, 2.5 and 3.5 of chapter 403, Statutes of Nevada 2015, at pages 2281, 2285 and 2287, respectively, are hereby repealed.

**Sec. 10.** This act becomes effective:

1. 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

2. On July 1, 2017, for all other purposes.

#### TEXT OF REPEALED SECTIONS

##### Section 1.3 of chapter 403, Statutes of Nevada 2015:

Sec. 1.3. NRS 630.253 is hereby amended to read as follows:

630.253 1. The Board shall, as a prerequisite for the:

(a) Renewal of a license as a physician assistant; or

(b) Biennial registration of the holder of a license to practice medicine,

↳ require each holder to submit evidence of compliance with the requirements for continuing education as set forth in regulations adopted by the Board.

2. These requirements:

(a) May provide for the completion of one or more courses of instruction relating to risk management in the performance of medical services.

(b) Must provide for the completion of a course of instruction, within 2 years after initial licensure, relating to the medical consequences of an act of terrorism that involves the use of a weapon of mass destruction. The course must provide at least 4 hours of instruction that includes instruction in the following subjects:

(1) An overview of acts of terrorism and weapons of mass destruction;

(2) Personal protective equipment required for acts of terrorism;

(3) Common symptoms and methods of treatment associated with exposure to, or injuries caused by, chemical, biological, radioactive and nuclear agents;

(4) Syndromic surveillance and reporting procedures for acts of terrorism that involve biological agents; and

(5) An overview of the information available on, and the use of, the Health Alert Network.

↳ The Board may thereafter determine whether to include in a program of continuing education additional courses of instruction relating to the medical consequences of an act of terrorism that involves the use of a weapon of mass destruction.

3. The Board shall encourage each holder of a license who treats or cares for persons who are more than 60 years of age to receive, as a portion of their continuing education, education in geriatrics and gerontology, including such topics as:

(a) The skills and knowledge that the licensee needs to address aging issues;

(b) Approaches to providing health care to older persons, including both didactic and clinical approaches;

(c) The biological, behavioral, social and emotional aspects of the aging process; and

(d) The importance of maintenance of function and independence for older persons.

4. The Board shall encourage each holder of a license to practice medicine to receive, as a portion of his or her continuing education, training concerning methods for educating patients about how to effectively manage medications, including, without limitation, the ability of the patient to request to have the symptom or purpose for which a

drug is prescribed included on the label attached to the container of the drug.

5. The Board shall encourage each holder of a license to practice medicine to receive as a portion of his or her continuing education training concerning suicide, including, without limitation, such topics as:

(a) The skills and knowledge that the licensee needs to detect behaviors that may lead to suicide, including, without limitation, post-traumatic stress disorder;

(b) Approaches to engaging other professionals in suicide intervention; and

(c) The detection of suicidal thoughts and ideations and the prevention of suicide.

6. A holder of a license to practice medicine may substitute not more than 2 hours of continuing education credits in the detection of suicidal thoughts and ideations, and the intervention and prevention of suicide, pain management or addiction care for the purposes of satisfying an equivalent requirement for continuing education in ethics.

7. As used in this section:

(a) “Act of terrorism” has the meaning ascribed to it in NRS 202.4415.

(b) “Biological agent” has the meaning ascribed to it in NRS 202.442.

(c) “Chemical agent” has the meaning ascribed to it in NRS 202.4425.

(d) “Radioactive agent” has the meaning ascribed to it in NRS 202.4437.

(e) “Weapon of mass destruction” has the meaning ascribed to it in NRS 202.4445.

#### **Section 2.5 of chapter 403, Statutes of Nevada 2015:**

Sec. 2.5. NRS 633.471 is hereby amended to read as follows:

633.471 1. Except as otherwise provided in subsection 8 and NRS 633.491, every holder of a license issued under this chapter, except a temporary or a special license, may renew the license on or before January 1 of each calendar year after its issuance by:

(a) Applying for renewal on forms provided by the Board;

(b) Paying the annual license renewal fee specified in this chapter;

(c) Submitting a list of all actions filed or claims submitted to arbitration or mediation for malpractice or negligence against the holder during the previous year;

(d) Submitting evidence to the Board that in the year preceding the application for renewal the holder has attended courses or programs of continuing education approved by the Board in accordance with regulations adopted by the Board totaling a number of hours established by the Board which must not be less than 35 hours nor more than that set

in the requirements for continuing medical education of the American Osteopathic Association; and

(e) Submitting all information required to complete the renewal.

2. The Secretary of the Board shall notify each licensee of the requirements for renewal not less than 30 days before the date of renewal.

3. The Board shall request submission of verified evidence of completion of the required number of hours of continuing medical education annually from no fewer than one-third of the applicants for renewal of a license to practice osteopathic medicine or a license to practice as a physician assistant. Upon a request from the Board, an applicant for renewal of a license to practice osteopathic medicine or a license to practice as a physician assistant shall submit verified evidence satisfactory to the Board that in the year preceding the application for renewal the applicant attended courses or programs of continuing medical education approved by the Board totaling the number of hours established by the Board.

4. The Board shall encourage each holder of a license to practice osteopathic medicine to receive, as a portion of his or her continuing education, training concerning methods for educating patients about how to effectively manage medications, including, without limitation, the ability of the patient to request to have the symptom or purpose for which a drug is prescribed included on the label attached to the container of the drug.

5. The Board shall require, as part of the continuing education requirements approved by the Board, the biennial completion by a holder of a license to practice osteopathic medicine of at least 2 hours of continuing education credits in ethics, pain management or addiction care.

6. The Board shall encourage each holder of a license to practice osteopathic medicine to receive as a portion of his or her continuing education training concerning suicide, including, without limitation, such topics as:

(a) The skills and knowledge that the licensee needs to detect behaviors that may lead to suicide, including, without limitation, post-traumatic stress disorder;

(b) Approaches to engaging other professionals in suicide intervention; and

(c) The detection of suicidal thoughts and ideations and the prevention of suicide.

7. A holder of a license to practice osteopathic medicine may substitute not more than 2 hours of continuing education credits in the detection of suicidal thoughts and ideations, and the intervention and prevention of suicide for the purposes of satisfying an equivalent requirement for continuing education in ethics.

8. Members of the Armed Forces of the United States and the United States Public Health Service are exempt from payment of the annual license renewal fee during their active duty status.

**Section 3.5 of chapter 403, Statutes of Nevada 2015:**

Sec. 3.5. NRS 641.220 is hereby amended to read as follows:

641.220 1. To renew a license or certificate issued pursuant to this chapter, each person must, on or before the first day of January of each odd-numbered year:

- (a) Apply to the Board for renewal;
- (b) Pay the biennial fee for the renewal of a license or certificate;
- (c) Submit evidence to the Board of completion of the requirements for continuing education as set forth in regulations adopted by the Board; and
- (d) Submit all information required to complete the renewal.

2. Upon renewing his or her license, a psychologist shall declare his or her areas of competence, as determined in accordance with NRS 641.112.

3. The Board shall, as a prerequisite for the renewal of a license or certificate, require each holder to comply with the requirements for continuing education adopted by the Board.

Assemblywoman Bustamante Adams moved that the Assembly concur in the Senate Amendment No. 762 to Assembly Bill No. 105.

Remarks by Assemblywoman Bustamante Adams.

ASSEMBLYWOMAN BUSTAMANTE ADAMS:

The amendment increases from one to two years the amount of time a newly licensed osteopathic doctor has to obtain evidence-based suicide prevention and awareness training.

Motion carried by a constitutional majority.

Bill ordered to enrollment.

Assembly Bill No. 154.

The following Senate amendment was read:

Amendment No. 741.

AN ACT relating to prevailing wages; revising provisions governing the payment of prevailing wages; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

~~[ Under existing law, with certain exceptions, the prevailing wage in a county for each craft or type of work, as determined by the Labor Commissioner, is required to be paid on a project in the county involving new construction, repair or reconstruction that is financed in whole or in part with public money and for which the estimated cost is \$250,000 or more. (NRS 338.010, 338.020-338.080) Sections 1, 3 and 4 of this bill decrease the minimum threshold for the applicability of the prevailing wage requirements from \$250,000 to \$100,000.]~~

School districts and the Nevada System of Higher Education are required under existing law to pay on their public works and certain other construction projects 90 percent of the prevailing wage rates that are otherwise required to be paid by other public bodies. (NRS 338.030) **Section 2** of this bill eliminates this exception and therefore requires school districts and the Nevada System of Higher Education to pay the same prevailing wage rates on their public works and other construction projects as other public bodies are required to pay.

~~[Under existing law, charter schools are exempt from the requirement in existing law to pay prevailing wage rates on their public works and certain other construction projects. (NRS 338.080) Section 4 eliminates this exemption and therefore requires charter schools to pay prevailing wage rates on their public works and other construction projects.]~~

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

**Section 1.** ~~[NRS 338.018 is hereby amended to read as follows:  
338.018 The provisions of NRS 338.013 to 338.018, inclusive, apply to any contract for construction work of the Nevada System of Higher Education for which the estimated cost exceeds [\$250,000] \$100,000 even if the construction work does not qualify as a public work, as defined in subsection 16 of] NRS 338.010.] (Deleted by amendment.)~~

**Sec. 2.** NRS 338.030 is hereby amended to read as follows:

338.030 1. The public body awarding any contract for public work, or otherwise undertaking any public work, shall ascertain from the Labor Commissioner the prevailing wage in the county in which the public work is to be performed for each craft or type of work.

2. The prevailing wage in each county, including Carson City, must be established as follows:

(a) The Labor Commissioner shall, annually, survey contractors who have performed work in the county.

(b) Based on the survey conducted pursuant to paragraph (a), where the rate of wages is the same for more than 50 percent of the total hours worked by each craft or type of work in that county on construction similar to the proposed construction, that rate will be determined as the prevailing wage.

(c) Where no such rate can be determined, the prevailing wage for a craft or type of work will be determined as the average rate of wages paid per hour based on the number of hours worked per rate, to that craft or type of work.

~~[(d) The Labor Commissioner shall determine the prevailing wage to be 90 percent of the rate determined pursuant to paragraphs (a), (b) and (c) for:~~

~~— (1) Any contract for a public work or any other construction, alteration, repair, remodeling or reconstruction of an improvement or property to which a school district or the Nevada System of Higher Education is a party; and~~

~~— (2) A public work of, or constructed by, a school district or the Nevada System of Higher Education, or any other construction, alteration, repair,~~

~~remodeling or reconstruction of an improvement or property of or constructed by a school district or the Nevada System of Higher Education.]~~

3. Within 30 days after the determination is issued:

(a) A public body or person entitled under subsection 6 to be heard may submit an objection to the Labor Commissioner with evidence to substantiate that a different wage prevails; and

(b) Any person may submit information to the Labor Commissioner that would support a change in the prevailing wage of a craft or type of work by 50 cents or more per hour in any county.

4. The Labor Commissioner shall hold a hearing in the locality in which the work is to be executed if the Labor Commissioner:

(a) Is in doubt as to the prevailing wage; or

(b) Receives an objection or information pursuant to subsection 3.

↪ The Labor Commissioner may hold only one hearing a year on the prevailing wage of any craft or type of work in any county.

5. Notice of the hearing must be advertised in a newspaper nearest to the locality of the work once a week for 2 weeks before the time of the hearing.

6. At the hearing, any public body, the crafts affiliated with the State Federation of Labor or other recognized national labor organizations, and the contractors of the locality or their representatives must be heard. From the evidence presented, the Labor Commissioner shall determine the prevailing wage.

7. The wages so determined must be filed by the Labor Commissioner and must be available to any public body which awards a contract for any public work.

8. Nothing contained in NRS 338.020 to 338.090, inclusive, may be construed to authorize the fixing of any wage below any rate which may now or hereafter be established as a minimum wage for any person employed upon any public work, or employed by any officer or agent of any public body.

**Sec. 3.** ~~[NRS 338.075 is hereby amended to read as follows:~~

~~338.075 The provisions of NRS 338.020 to 338.090, inclusive, apply to any contract for construction work of the Nevada System of Higher Education for which the estimated cost exceeds [\$250,000] \$100,000 even if the construction work does not qualify as a public work, as defined in [subsection 16 of] NRS 338.010.] (Deleted by amendment.)~~

**Sec. 4.** ~~[NRS 338.080 is hereby amended to read as follows:~~

~~338.080 None of the provisions of NRS 338.020 to 338.090, inclusive, apply to:~~

~~1. Any work, construction, alteration, repair or other employment performed, undertaken or carried out, by or for any railroad company or any person operating the same, whether such work, construction, alteration or repair is incident to or in conjunction with a contract to which a public body is a party, or otherwise.~~

~~2. Apprentices recorded under the provisions of chapter 610 of NRS.~~

~~3. Any contract for a public work whose cost is less than [\$250,000.] \$100,000. A unit of the project must not be separated from the total project, even if that unit is to be completed at a later time, in order to lower the cost of the project below [\$250,000.] \$100,000.~~

~~4. Any contract for a public work or any other construction, alteration, repair, remodeling or reconstruction of an improvement or property to which a charter school is a party, notwithstanding any other provision of law.~~

~~5. A public work of, or constructed by, a charter school, or any other construction, alteration, repair, remodeling or reconstruction of an improvement or property of or constructed by a charter school, notwithstanding any other provision of law.}] (Deleted by amendment.)~~

**Sec. 5.** 1. The amendatory provisions of this act do not apply to a public work or other project of construction, alteration, repair, remodeling or reconstruction of an improvement or property of a public body that is awarded before July 1, 2017.

2. As used in this section:

- (a) "Public body" has the meaning ascribed to it in NRS 338.010.
- (b) "Public work" has the meaning ascribed to it in NRS 338.010.

**Sec. 6.** This act becomes effective on July 1, 2017.

Assemblyman Flores moved that the Assembly concur in the Senate Amendment No. 741 to Assembly Bill No. 154.

Remarks by Assemblyman Flores.

ASSEMBLYMAN FLORES:

The amendment deletes the sections of the bill that lower the cost threshold for the applicability of prevailing wages and eliminates the prevailing wage exemption for charter schools.

Motion carried by a constitutional majority.

Bill ordered to enrollment.

Assembly Bill No. 101.

The following Senate amendment was read:

Amendment No. 678.

AN ACT relating to wildlife; requiring the Board of Wildlife Commissioners to establish policies for the conservation of certain wildlife; revising the authorized uses of the fees for the processing of an application for a game tag; **requiring the Commission to establish policies for certain programs, activities and research relating to predatory wildlife; requiring the Department of Wildlife to submit a report on certain programs, activities and research relating to predatory wildlife;** and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Under existing law, the Board of Wildlife Commissioners is required, after first considering the recommendations of the Department of Wildlife, the county advisory boards to manage wildlife and other persons, to establish



policies for the management of big and small game mammals, upland and migratory game birds, fur-bearing mammals, game fish, and protected and unprotected mammals, birds, fish, reptiles and amphibians. (NRS 501.181) **Section 1** of this bill requires those policies to also include the conservation of those mammals, birds, fish, reptiles and amphibians.

Existing law requires a person applying for a game tag to pay an additional fee of \$3 for processing the application. The money collected from those fees is required to be deposited in the Wildlife Account in the State General Fund and used by the Department of Wildlife for costs related to: (1) developing and implementing an annual program for the management and control of predatory wildlife; (2) wildlife management activities relating to the protection of nonpredatory game animals and sensitive wildlife species; and (3) conducting research necessary to determine successful techniques for managing and controlling predatory wildlife. **Any program developed or wildlife management activity or research conducted must be developed or conducted under the guidance of the Board of Wildlife Commissioners.** (NRS 502.253) **Section 3** of this bill expands the purposes for which the proceeds from those fees are required to be used by ~~feeding programs for the management and enhancement of game mammals,~~ adding wildlife management activities related to wildlife habitat and authorizing obtaining matching money from the Federal Government which is available for use for those programs and activities. **Section 3** also requires **the Commission, in providing guidance to the Department, to establish policies for the development of any programs to control species of predatory wildlife or to conduct any wildlife management activities or research concerning species of predatory wildlife. Section 3 further requires** the Department ~~[of Wildlife]~~ to submit a report, on or before ~~[August]~~ **December** 31 of each ~~[even-numbered]~~ year, to the Director of the Legislative Counsel Bureau for transmittal to the Legislature ~~[setting forth]~~ **summarizing** the ~~[expenditures for the]~~ **results of certain** programs, ~~[and]~~ activities ~~[carried out using the proceeds from those fees.]~~ **and research related to predatory wildlife.** **Section 4** of this bill specifies that the proceeds from those fees which are deposited for credit to the Wildlife Account on or after July 1, 2017, are only authorized to be used for the new purposes.

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

**Section 1.** NRS 501.181 is hereby amended to read as follows:

501.181 The Commission shall:

1. Establish broad policies for:
  - (a) The protection, propagation, restoration, transplanting, introduction and management of wildlife in this State.
  - (b) The promotion of the safety of persons using or property used in the operation of vessels on the waters of this State.

(c) The promotion of uniformity of laws relating to policy matters.

2. Guide the Department in its administration and enforcement of the provisions of this title and of chapter 488 of NRS by the establishment of such policies.

3. Establish policies for areas of interest including:

(a) The *conservation and* management of big and small game mammals, upland and migratory game birds, fur-bearing mammals, game fish, and protected and unprotected mammals, birds, fish, reptiles and amphibians.

(b) The management and control of predatory wildlife.

(c) The acquisition of lands, water rights and easements and other property for the management, propagation, protection and restoration of wildlife.

(d) The entry, access to, and occupancy and use of such property, including leases of grazing rights, sales of agricultural products and requests by the Director to the State Land Registrar for the sale of timber if the sale does not interfere with the use of the property on which the timber is located for wildlife management or for hunting or fishing thereon.

(e) The control of nonresident hunters.

(f) The introduction, transplanting or exporting of wildlife.

(g) Cooperation with federal, state and local agencies on wildlife and boating programs.

(h) The revocation of licenses issued pursuant to this title to any person who is convicted of a violation of any provision of this title or any regulation adopted pursuant thereto.

4. Establish regulations necessary to carry out the provisions of this title and of chapter 488 of NRS, including:

(a) Seasons for hunting game mammals and game birds, for hunting or trapping fur-bearing mammals and for fishing, the daily and possession limits, the manner and means of taking wildlife, including, but not limited to, the sex, size or other physical differentiation for each species, and, when necessary for management purposes, the emergency closing or extending of a season, reducing or increasing of the bag or possession limits on a species, or the closing of any area to hunting, fishing or trapping. If, in establishing any regulations pursuant to this subsection, the Commission rejects the recommendations of a county advisory board to manage wildlife with regard to the length of seasons for fishing, hunting and trapping or the bag or possession limits applicable within the respective county, the Commission shall provide to the county advisory board to manage wildlife at the meeting an explanation of the Commission's decision to reject the recommendations and, as soon as practicable after the meeting, a written explanation of the Commission's decision to reject the recommendations. Any regulations relating to the closure of a season must be based upon scientific data concerning the management of wildlife. The data upon which the regulations are based must be collected or developed by the Department.

(b) The manner of using, attaching, filling out, punching, inspecting, validating or reporting tags.

(c) The delineation of game management units embracing contiguous territory located in more than one county, irrespective of county boundary lines.

(d) The number of licenses issued for big game and, if necessary, other game species.

5. Adopt regulations requiring the Department to make public, before official delivery, its proposed responses to any requests by federal agencies for its comment on drafts of statements concerning the environmental effect of proposed actions or regulations affecting public lands.

6. Adopt regulations:

(a) Governing the provisions of the permit required by NRS 502.390 and for the issuance, renewal and revocation of such a permit.

(b) Establishing the method for determining the amount of an assessment, and the time and manner of payment, necessary for the collection of the assessment required by NRS 502.390.

7. Designate those portions of wildlife management areas for big game mammals that are of special concern for the regulation of the importation, possession and propagation of alternative livestock pursuant to NRS 576.129.

8. Adopt regulations governing the trapping of fur-bearing mammals in a residential area of a county whose population is 100,000 or more.

9. Adopt regulations prescribing the circumstances under which a person, regardless of whether the person has obtained a valid tag issued by the Department, may assist in the killing and retrieval of a wounded big game mammal by another person who:

(a) Is a paraplegic, has had one or both legs amputated or has suffered a paralysis of one or both legs which severely impedes the person's walking; and

(b) Has obtained a valid tag issued by the Department for hunting that animal.

10. In establishing any policy or adopting any regulations pursuant to this section, first consider the recommendations of the Department, the county advisory boards to manage wildlife and other persons who present their views at an open meeting of the Commission.

**Sec. 2.** NRS 501.356 is hereby amended to read as follows:

501.356 1. Money received by the Department from:

(a) The sale of licenses;

(b) Fees pursuant to the provisions of NRS 488.075 and 488.1795;

(c) Remittances from the State Treasurer pursuant to the provisions of NRS 365.535;

(d) Appropriations made by the Legislature; and

(e) All other sources, including, without limitation, the Federal Government, except money derived from the forfeiture of any property described in NRS 501.3857 or money deposited in the Wildlife Heritage

Account pursuant to NRS 501.3575, the Wildlife Trust Fund pursuant to NRS 501.3585, the Energy Planning and Conservation Account created by NRS 701.630 or the Account for the Recovery of Costs created by NRS 701.640,

↪ must be deposited with the State Treasurer for credit to the Wildlife Account in the State General Fund.

2. The interest and income earned on the money in the Wildlife Account, after deducting any applicable charges, must be credited to the Account.

3. Except as otherwise provided in subsection 4 and NRS 503.597, the Department may use money in the Wildlife Account only to carry out the provisions of this title and chapter 488 of NRS and as provided in NRS 365.535, and the money must not be diverted to any other use.

4. Except as otherwise provided in NRS 502.250, **502.253**, 502.410 and 504.155, all fees for the sale or issuance of stamps, tags, permits and licenses that are required to be deposited in the Wildlife Account pursuant to the provisions of this title and any matching money received by the Department from any source must be accounted for separately and must be used:

(a) Only for the protection, propagation and management of wildlife; and

(b) If the fee is for the sale or issuance of a license, permit or tag other than a tag specified in subsection 5 or 6 of NRS 502.250, under the guidance of the Commission pursuant to subsection 2 of NRS 501.181.

**Sec. 3.** NRS 502.253 is hereby amended to read as follows:

502.253 1. In addition to any fee charged and collected pursuant to NRS 502.250, a fee of \$3 must be charged for processing each application for a game tag, the revenue from which must be accounted for separately, deposited with the State Treasurer for credit to the Wildlife Account in the State General Fund and used by the Department for costs related *solely* to:

(a) Developing and implementing an annual program for the management and control of predatory wildlife ; ~~and the management and enhancement of game mammals;~~

(b) Wildlife management activities relating to the protection of nonpredatory game animals , ~~and~~ sensitive wildlife species ~~;~~ and *related wildlife habitat*;

(c) Conducting research necessary to determine successful techniques for managing and controlling predatory wildlife ~~;~~ ; ~~and~~ or

(d) *Obtaining matching money from the Federal Government which is available for use in developing and carrying out the programs and activities described in paragraphs (a) and (b).*

2. The Department of Wildlife is hereby authorized to expend a portion of the money collected pursuant to subsection 1 to enable the State Department of Agriculture to develop and carry out the programs described in subsection 1.

3. Any program developed or wildlife management activity or research conducted pursuant to this section must be developed or conducted under the guidance of the Commission in accordance with the ~~provisions of subsection~~

~~4 and the~~ policies adopted by the Commission pursuant to NRS 501.181. In providing guidance for the development of a program to control any species of predatory wildlife or for conducting any wildlife management activity or research concerning that species, the Commission shall establish a policy for the program, activity or research. Each policy must specify the goals and required results of the program, activity or research, including, without limitation, provisions:

(a) Setting forth a specific geographic area in this State in which the program, activity or research must be conducted;

(b) Setting forth the reasons for conducting the program, activity or research in the geographic area;

(c) Setting forth the estimated population or density of each species of predatory wildlife and the location of the estimated population or density in the geographic area which must be included in the program, activity or research; and

(d) Requiring the submission of a report to the Commission upon the completion of the program, activity or research setting forth the results of the program, activity or research and the extent to which the program, activity or research achieved the goals and required results established for the program, activity or research.

4. The Department ~~is~~:

~~—(a) In~~, in adopting any program ~~for the management and control of predatory wildlife~~ developed pursuant to this section, shall first consider the recommendations of the Commission. ~~and the State Predatory Animal and Rodent Committee created by NRS 567.020.~~

~~—(b) Shall not adopt any program for the management and control of predatory wildlife developed pursuant to this section that provides for the expenditure of less than 80 percent of the amount of money collected pursuant to subsection 1 in the most recent fiscal year for which the Department has complete information for the purposes of lethal management and control of predatory wildlife.]~~

5. The money in the Wildlife Account credited pursuant to this section remains in the Account and does not revert to the State General Fund at the end of any fiscal year.

6. ~~On or before August~~ December 31 of each ~~even-numbered~~ year, the Department shall submit a report ~~setting forth the expenditures from the proceeds of the fee collected pursuant to this section and credited to the Wildlife Account pursuant to this section~~ summarizing the results of any program to control any species of predatory wildlife or for conducting any wildlife management activity or research concerning that species and the extent to which the program, activity or research achieved the goals and required results established pursuant to subsection 3 for the program, activity or research to the Director of the Legislative Counsel Bureau for transmittal to the Legislature.

~~7. The report submitted pursuant to subsection 6 must, for each program or activity implemented pursuant to paragraphs (a) and (b) of subsection 1, specify:~~

~~(a) The expenditures made for the program or activity;~~

~~(b) The number and species of any wildlife killed as a result of the program or activity;~~

~~(c) Any benefit from the program or activity which is statistically significant;~~

~~(d) The performance and outcome indicators used to evaluate and measure the effectiveness of the program or activity, including, without limitation, the methods used to track the performance and outcome indicators; and~~

~~(e) A summary of the effectiveness of the program or activity in achieving the goals of the program or activity.~~

Sec. 4. Any money deposited with the State Treasurer for credit to the Wildlife Account in the State General Fund pursuant to NRS 502.253 before July 1, 2017, may only be used on or after that date for a purpose specified in NRS 502.253, as amended by section 3 of this act.

Sec. 4.5. The provisions of subsection 1 of NRS 218D.380 do not apply to any provision of this act which adds or revises a requirement to submit a report to the Legislature.

Sec. 5. This act becomes effective on July 1, 2017.

Assemblywoman Swank moved that the Assembly concur in the Senate Amendment No. 678 to Assembly Bill No. 101.

Remarks by Assemblywoman Swank.

ASSEMBLYWOMAN SWANK:

This amendment requires the Wildlife Commission to establish policies for programs, activities, and research related to predatory wildlife and requires the Department of Wildlife to submit a report on such programs related to predatory wildlife.

Motion carried by a constitutional majority.

Bill ordered to enrollment.

Assembly Bill No. 146.

The following Senate amendment was read:

Amendment No. 639.

AN ACT relating to domestic violence; enacting the Uniform Recognition and Enforcement of Canadian Domestic-Violence Protection Orders Act; **requiring the enforcement of Canadian domestic-violence protection orders under certain circumstances**; requiring the Central Repository for Nevada Records of Criminal History to include Canadian domestic-violence protection orders registered in this State in the Repository for Information Concerning Orders for Protection Against Domestic Violence; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law provides for the enforcement and registration of an order for protection against domestic violence issued by the court of another state, territory or Indian tribe within the United States and requires certain persons to transmit certain information regarding such orders to the Central Repository for Nevada Records of Criminal History. (NRS 33.085, 33.090, 33.095) **Sections 2-18** of this bill enact the Uniform Recognition and Enforcement of Canadian Domestic-Violence Protection Orders Act.

**Section 13** requires a law enforcement officer to enforce a Canadian domestic-violence protection order ~~and prescribes the minimum requirements for such enforcement.~~ **in the same manner that an officer enforces an order for protection issued by a court of this State unless it is apparent to the officer that the order is not authentic on its face.** **Section 13** further requires a law enforcement officer to inform the protected person of local victims' services.

**Section 14** requires certain courts and agencies in this State to enforce a Canadian domestic-violence protection order and prescribes the minimum requirements for such enforcement.

**Section 15** provides immunity from civil or criminal liability for this State and its agencies and political subdivisions and certain persons who: (1) enforce a Canadian domestic-violence protection order based upon a reasonable belief that the order is valid; or (2) refuse to enforce such an order based upon a reasonable belief that the order is not valid.

**Section 19** of this bill provides for the registration of Canadian domestic-violence protection orders with the clerk of the court in the judicial district in which the person believes enforcement may be necessary. **Section 20** of this bill requires certain persons to transmit certain information regarding such orders to the Central Repository for Nevada Records of Criminal History. **Section 21** of this bill requires the Central Repository to include such orders in the Repository for Information Concerning Orders for Protection Against Domestic Violence.

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

**Section 1.** Chapter 33 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 18, inclusive, of this act.

**Sec. 2.** *Sections 2 to 18, inclusive, of this act may be cited as the Uniform Recognition and Enforcement of Canadian Domestic-Violence Protection Orders Act.*

**Sec. 3.** *As used in sections 2 to 18, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 4 to 12, inclusive of this act have the meanings ascribed to them in those sections.*

**Sec. 4.** *“Adverse party” means a natural person against whom a Canadian domestic-violence protection order is issued.*

Sec. 5. “Canadian domestic-violence protection order” means a judgment or part of a judgment or order issued in a civil proceeding by a court of Canada under the laws of the issuing jurisdiction that relates to domestic violence and prohibits an adverse party from:

1. Being in physical proximity to a protected person or following a protected person;
2. Directly or indirectly contacting or communicating with a protected person or other person described in the order;
3. Being within a certain distance of a specified place or location associated with a protected person; or
4. Molesting, annoying, harassing or engaging in threatening conduct directed at a protected person.

Sec. 6. “Domestic protection order” means an injunction or other order issued by a tribunal which relates to domestic or family violence laws to prevent a person from engaging in violent or threatening acts against, harassment of, direct or indirect contact or communication with or being in physical proximity to another person.

Sec. 7. “Issuing court” means the court that issues a Canadian domestic-violence protection order.

Sec. 8. “Law enforcement officer” means a person authorized by the laws of this State, other than sections 2 to 18, inclusive, of this act, to enforce a domestic protection order.

Sec. 9. “Person” means a natural person, estate, business or nonprofit entity, public corporation, government or governmental subdivision, agency, or instrumentality or other legal entity.

Sec. 10. “Protected person” means a natural person protected by a Canadian domestic-violence protection order.

Sec. 11. “Record” means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

Sec. 12. “Tribunal” means a court, agency or other entity authorized by the laws of this State other than sections 2 to 18, inclusive, of this act to establish, enforce or modify a domestic protection order.

Sec. 13. 1. ~~If a law enforcement officer determines under subsection 2 or 3 that there is probable cause to believe that a valid Canadian domestic violence protection order exists and the order has been violated, the officer shall enforce the terms of the Canadian domestic violence protection order as if the terms were in an order of a tribunal. Presentation to a law enforcement officer of a certified copy of a Canadian domestic violence protection order is not required for enforcement.~~

~~2. Presentation to a law enforcement officer of a record of a Canadian domestic violence protection order that identifies both a protected individual and an adverse party and on its face is in effect constitutes probable cause to believe that a valid order exists.~~



~~3. If a record of a Canadian domestic violence protection order is not presented as provided in subsection 2, a law enforcement officer may consider other information in determining whether there is probable cause to believe that a valid Canadian domestic violence protection order exists.] Except as otherwise provided in subsection 4 and section 14 of this act, a law enforcement officer shall enforce a Canadian domestic-violence protection order and shall make an arrest for a violation thereof in the same manner that a law enforcement officer would make an arrest for a violation of a temporary or extended order issued by a court of this State unless it is apparent to the officer that the order is not authentic on its face. An officer shall determine that an order is authentic on its face if the order contains:~~

- ~~(a) The names of the parties;~~
- ~~(b) Information indicating that the order has not expired; and~~
- ~~(c) Information indicating that the court which issued the order had legal authority to issue the order as evidenced by a certified copy of the order, a file-stamped copy of the order, an authorized signature or stamp of the court which issued the order or another indication of the authority of the court which issued the order.~~

~~↳ An officer may determine that any other order is authentic on its face.~~

~~2. In enforcing a Canadian domestic-violence protection order or arresting a person for a violation of such an order, a law enforcement officer may rely upon:~~

- ~~(a) A copy of the order that has been provided to the officer;~~
- ~~(b) An order that is included in the Repository for Information Concerning Orders for Protection Against Domestic Violence pursuant to NRS 33.095 or in any national crime information database;~~
- ~~(c) Oral or written confirmation from a law enforcement agency or court in which the order was issued that the order is valid and effective; or~~
- ~~(d) An examination of the totality of the circumstances concerning the existence of a valid and effective order, including, without limitation, the statement of a person protected by the order that the order remains in effect.~~

~~3. The fact that a Canadian domestic-violence protection order has not been registered or included in the Repository for Information Concerning Orders for Protection Against Domestic Violence in the Central Repository for Nevada Records of Criminal History pursuant to NRS 33.095 or in any national crime information database is not grounds for a law enforcement officer to refuse to enforce the terms of the order unless it is apparent to the officer that the order is not authentic on its face.~~

4. If a law enforcement officer determines that an otherwise valid Canadian domestic-violence protection order cannot be enforced because the adverse party has not been notified of or served with the order, the officer shall notify the protected person that the officer will make reasonable efforts to contact the adverse party, consistent with the safety of

*the protected person. After notice to the protected person and consistent with the safety of the protected person, the law enforcement officer shall make a reasonable effort to inform the adverse party of the order, notify the adverse party of the terms of the order, provide a record of the order, if available, to the adverse party and allow the adverse party a reasonable opportunity to comply with the order before the officer enforces the order.*

*5. If a law enforcement officer determines that a person is a protected person, the officer shall inform him or her of available local victims' services.*

*Sec. 14. 1. A tribunal may issue an order enforcing or refusing to enforce a Canadian domestic-violence protection order on application of:*

*(a) A person authorized by the laws of this State, other than sections 2 to 18, inclusive, of this act, to seek enforcement of a domestic protection order; or*

*(b) An adverse party.*

*2. In a proceeding under subsection 1, the tribunal shall follow the procedures of this State for the enforcement of a domestic protection order. An order entered under this section is limited to the enforcement of the terms of the Canadian domestic-violence protection order.*

*3. A Canadian domestic-violence protection order is enforceable under this section if:*

*(a) The order identifies the parties;*

*(b) The order is valid and has not expired;*

*(c) The issuing court had jurisdiction over the parties and the subject matter under the laws of the jurisdiction of the issuing court; and*

*(d) The adverse party was given reasonable notice and an opportunity to be heard before the order was issued or, in the case of an ex parte order, the adverse party was given reasonable notice and had or will have an opportunity to be heard within a reasonable time after the order was issued and, in any event, in a manner consistent with the right of the adverse party to due process.*

*4. A Canadian domestic-violence protection order valid on its face is prima facie evidence of enforceability under this section.*

*5. A claim that a Canadian domestic-violence protection order does not comply with subsection 3 is an affirmative defense in a proceeding seeking enforcement of the order. If the tribunal determines that the order is not enforceable, the tribunal shall issue an order that the Canadian domestic-violence protection order is not enforceable under this section and section 13 of this act and may not be registered pursuant to NRS 33.090.*

*6. If the Canadian domestic-violence protection order is a mutual order for protection against domestic violence and:*

*(a) No counter or cross-petition or other pleading was filed by the adverse party; or*

*(b) A counter or cross-petition or other pleading was filed and the court did not make a specific finding of domestic violence by both parties,*

↪ *the court shall refuse to enforce the order against the protected person and may determine whether to issue its own temporary or extended order.*

**Sec. 15.** *This State, an agency or political subdivision of this State, a law enforcement officer, prosecuting attorney, clerk of court and any other state or local governmental official acting in an official capacity are immune from civil and criminal liability for an act or omission arising out of the registration or enforcement of a Canadian domestic-violence protection order or the detention or arrest of an alleged violator of a Canadian domestic-violence protection order if the act or omission was a good faith effort to comply with sections 2 to 18, inclusive, of this act or the provisions of NRS 33.090 or 33.095 relating to the registration of a Canadian domestic-violence protection order.*

**Sec. 16.** *The rights and remedies provided by sections 2 to 18, inclusive, of this act are in addition to any other rights or remedies that may exist at law or in equity.*

**Sec. 17.** *In applying and construing the Uniform Recognition and Enforcement of Canadian Domestic-Violence Protection Orders Act, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.*

**Sec. 18.** *Sections 2 to 18, inclusive, of this act modify, limit or supersede the Electronic Signatures in Global and National Commerce Act, 15 U.S.C. § 7001 et seq., but do not modify, limit or supersede Section 101(c) of that act, 15 U.S.C. § 7001(c), or authorize electronic delivery of any of the notices described in Section 103(b) of that act, 15 U.S.C. § 7003(b).*

**Sec. 19.** NRS 33.090 is hereby amended to read as follows:

33.090 1. A person may register an order for protection against domestic violence issued by the court of another state, territory or Indian tribe within the United States *or a Canadian domestic-violence protection order* by presenting a certified copy of the order to the clerk of a court of competent jurisdiction in a judicial district in which the person believes that enforcement may be necessary.

2. The clerk of the court shall:

- (a) Maintain a record of each order registered pursuant to this section;
- (b) Provide the protected party with a copy of the order registered pursuant to this section bearing proof of registration with the court;
- (c) Forward, by conventional or electronic means, by the end of the next business day, a copy of an order registered pursuant to this section to the appropriate law enforcement agency which has jurisdiction over the residence, school, child care facility or other provider of child care, or place of employment of the protected party or the child of the protected party; and
- (d) Inform the protected party upon the successful transfer of information concerning the registration to the Central Repository for Nevada Records of Criminal History as required pursuant to NRS 33.095.

3. The clerk of the court shall not:

(a) Charge a fee for registering an order or for providing a certified copy of an order pursuant to this section.

(b) Notify the party against whom the order has been made that an order for protection against domestic violence issued by the court of another state, territory or Indian tribe has been registered in this State.

4. A person who registers an order pursuant to this section must not be charged to have the order served in this State.

**5. As used in this section, “Canadian domestic-violence protection order” has the meaning ascribed to it in section 5 of this act.**

**Sec. 20.** NRS 33.095 is hereby amended to read as follows:

33.095 **1.** Any time that a court issues a temporary or extended order and any time that a person serves such an order, registers such an order , **registers a Canadian domestic-violence protection order** or receives any information or takes any other action pursuant to NRS 33.017 to 33.100, inclusive, ~~and~~ **or sections 2 to 18, inclusive, of this act**, the person shall cause to be transmitted, in the manner prescribed by the Central Repository for Nevada Records of Criminal History, any information required by the Central Repository in a manner which ensures that the information is received by the Central Repository by the end of the next business day.

**2. As used in this section, “Canadian domestic-violence protection order” has the meaning ascribed to it in section 5 of this act.**

**Sec. 20.5. NRS 125A.465 is hereby amended to read as follows:**

125A.465 **1.** A child custody determination issued by a court of another state may be registered in this state, with or without a simultaneous request for enforcement, by sending to a court of this state which is competent to hear custody matters:

(a) A letter or other document requesting registration;

(b) Two copies, including one certified copy, of the determination sought to be registered, and a statement under penalty of perjury that to the best of the knowledge and belief of the person seeking registration the order has not been modified; and

(c) Except as otherwise provided in NRS 125A.385, the name and address of the person seeking registration and any parent or person acting as a parent who has been awarded custody or visitation in the child custody determination sought to be registered.

**2.** On receipt of the documents required by subsection 1, the registering court shall:

(a) Cause the determination to be filed as a foreign judgment, together with one copy of any accompanying documents and information, regardless of their form; and

(b) Serve notice upon the persons named pursuant to paragraph (c) of subsection 1 and provide them with an opportunity to contest the registration in accordance with this section.

**3.** The notice required by paragraph (b) of subsection 2 must state that:

(a) A registered determination is enforceable as of the date of the registration in the same manner as a determination issued by a court of this state;

(b) A hearing to contest the validity of the registered determination must be requested within 20 days after service of notice; and

(c) Failure to contest the registration will result in confirmation of the child custody determination and preclude further contest of that determination with respect to any matter that could have been asserted.

4. A person seeking to contest the validity of a registered order must request a hearing within 20 days after service of the notice. At that hearing, the court shall confirm the registered order unless the person contesting registration establishes that:

(a) The issuing court did not have jurisdiction pursuant to NRS 125A.305 to 125A.395, inclusive;

(b) The child custody determination sought to be registered has been vacated, stayed or modified by a court having jurisdiction to do so pursuant to NRS 125A.305 to 125A.395, inclusive; or

(c) The person contesting registration was entitled to notice, but notice was not given in accordance with the standards of NRS 125A.255, in the proceedings before the court that issued the order for which registration is sought.

5. If a timely request for a hearing to contest the validity of the registration is not made, the registration is confirmed as a matter of law and the person requesting registration and all persons served must be notified of the confirmation.

6. Confirmation of a registered order, whether by operation of law or after notice and hearing, precludes further contest of the order with respect to any matter that could have been asserted at the time of registration.

7. The provisions of this section do not apply to an order for protection against domestic violence issued by the court of another state, territory or Indian tribe within the United States , or a Canadian domestic-violence protection order, which is registered pursuant to NRS 33.090.

**Sec. 21.** NRS 179A.350 is hereby amended to read as follows:

179A.350 1. The Repository for Information Concerning Orders for Protection Against Domestic Violence is hereby created within the Central Repository.

2. Except as otherwise provided in subsection 6, the Repository for Information Concerning Orders for Protection Against Domestic Violence must contain a complete and systematic record of all temporary and extended orders for protection against domestic violence issued or registered in the State of Nevada ~~and~~ ***and all Canadian domestic-violence protection orders registered in the State of Nevada***, in accordance with regulations adopted by the Director of the Department, including, without limitation, any information received pursuant to NRS 33.095. Information received by the Central Repository pursuant to NRS 33.095 must be entered in the

Repository for Information Concerning Orders for Protection Against Domestic Violence not later than 8 hours after it is received by the Central Repository.

3. The information in the Repository for Information Concerning Orders for Protection Against Domestic Violence must be accessible by computer at all times to each agency of criminal justice.

4. On or before July 1 of each year, the Director of the Department shall submit to the Director of the Legislative Counsel Bureau a written report concerning all temporary and extended orders for protection against domestic violence issued pursuant to NRS 33.020 during the previous calendar year that were transmitted to the Repository for Information Concerning Orders for Protection Against Domestic Violence. The report must include, without limitation, information for each court that issues temporary or extended orders for protection against domestic violence concerning:

(a) The total number of temporary and extended orders that were granted by the court pursuant to NRS 33.020 during the calendar year to which the report pertains;

(b) The number of temporary and extended orders that were granted to women;

(c) The number of temporary and extended orders that were granted to men;

(d) The number of temporary and extended orders that were vacated or expired;

(e) The number of temporary orders that included a grant of temporary custody of a minor child; and

(f) The number of temporary and extended orders that were served on the adverse party.

5. The information provided pursuant to subsection 4 must include only aggregate information for statistical purposes and must exclude any identifying information relating to a particular person.

6. The Repository for Information Concerning Orders for Protection Against Domestic Violence must not contain any information concerning an event that occurred before October 1, 1998.

**7. *As used in this section, "Canadian domestic-violence protection order" has the meaning ascribed to it in section 5 of this act.***

**Sec. 22.** This act becomes effective on July 1, 2017, and applies to a Canadian domestic-violence protection order issued before, on or after July 1, 2017, and to a continuing action for enforcement of a Canadian domestic-violence protection order commenced before, on or after July 1, 2017.

Assemblyman Yeager moved that the Assembly concur in the Senate Amendment No. 639 to Assembly Bill No. 146.

Remarks by Assemblyman Yeager.

ASSEMBLYMAN YEAGER:

The amendment adds conforming language from similar provisions in statute as to the method of how law enforcement is to verify the existence of a Canadian protection order.

Motion carried by a constitutional majority.  
Bill ordered to enrollment.

Assembly Bill No. 341.

The following Senate amendment was read:

Amendment No. 705.

AN ACT relating to juvenile justice; authorizing an attorney who represents a child in juvenile proceedings to consult with and seek appointment of certain persons; urging the Nevada Supreme Court to adopt certain court rules relating to juvenile justice; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law provides a procedure for adjudicating a child who is alleged to be delinquent or in need of supervision under certain circumstances. (NRS 62D.010) **Section 1** of this bill authorizes an attorney who represents a child in such juvenile proceedings to consult with and seek appointment of certain persons.

**Section 4** of this bill urges the Nevada Supreme Court to adopt court rules for attorneys who represent juveniles in juvenile proceedings.

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

**Section 1.** Chapter 62D of NRS is hereby amended by adding thereto a new section to read as follows:

~~*Each*~~ *Subject to the provisions of subsection 7 of NRS 62D.030 and chapter 260 of NRS, a public defender or any other attorney who represents a child in proceedings pursuant to the provisions of this title may consult with and seek appointment of: [without limitation and when appropriate.]*

*1. Any social worker licensed pursuant to chapter 641B of NRS;*  
*2. Any qualified mental health professional, as defined in NRS 458A.057;*

*3. Any educator; and*

*4. Any other expert the attorney deems appropriate.*

**Sec. 2.** (Deleted by amendment.)

**Sec. 3.** (Deleted by amendment.)

**Sec. 4.** The Legislature hereby finds and declares that:

1. In the case of *In re Gault*, 387 U.S. 1 (1967), the United States Supreme Court guaranteed a juvenile's constitutional right to due process under the Fourteenth Amendment, including, without limitation, the right to counsel and the privilege against self-incrimination.

2. Under the existing Nevada Supreme Court Rules:

(a) Rules 205-215 govern the State of Nevada Board of Continuing Legal Education whose powers and duties include, without limitation, providing for programs of continuing legal education.

(b) Rule 250 provides minimum requirements required for defense counsel in cases in which the death penalty is or may be sought or has been imposed, including proceedings for postconviction relief from a judgment of conviction and sentence of death.

3. The Nevada Supreme Court Rules, however, do not specify minimum requirements for attorneys who represent juveniles in proceedings related to juvenile justice.

4. Therefore the Legislature urges the Nevada Supreme Court to adopt appropriate rules for attorneys who represent juveniles to ensure effective assistance of counsel in proceedings related to juvenile justice. These requirements may include, without limitation:

(a) Minimum requirements for courses, programs and continuing legal education in order to provide effective representation of juveniles;

(b) Standards for professional conduct specific to juvenile justice; and

(c) Minimum requirements for attorneys who represent juveniles and are employed by the State Public Defender.

**Sec. 5.** This act becomes effective upon passage and approval.

Assemblyman Yeager moved that the Assembly concur in the Senate Amendment No. 705 to Assembly Bill No. 341.

Remarks by Assemblyman Yeager.

ASSEMBLYMAN YEAGER:

The amendment seeks to ensure that an attorney's request for services under the bill's provisions comport with existing statute.

Motion carried by a constitutional majority.

Bill ordered to enrollment.

#### SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Senate Bills Nos. 43, 53, 160, 206, 267 and 491.

#### GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblywoman Cohen, the privilege of the floor of the Assembly Chamber for this day was extended to the following students, teachers, and chaperones from Lake Mead Christian Academy: Tristan Oudman, Aliyah Harris, Ania Beasley, Bailey Fore, Brooke Flynn, Christian Marrs, Dakota Cast, Eden Berhe, Hailey Newton, Hailey Perkins, Halle Hoperich, Hunter Zierleyn, James Bernstein, Joel Stewart, Jordan Ramos, Kenzie Crowl, Kian Cox, Morgan Weinhold, Sarah Corrigan, Sawyer Funes, Soleil Sanchez, Sydney Maddox, Tenoch Rodriguez, Wyatt Rollins, and Zaire Wade.



On request of Assemblyman Flores, the privilege of the floor of the Assembly Chamber for this day was extended to Andrew Diss, Frank Perez, Steve Jimenez and the following students, teachers, and chaperones from Sandy Searles Miller Elementary School: Fatima Aguilar, Jose Amaya, Abigail April, Isabella April, Ariana Araiza, Renata Arciga, Yoselynn Avila, Matthew Awa-Moppert, Aubrey Blight, Daniel Budde, Jemyra Cain-Lightfoot, Anthony Calderon Tovar, Lisa Carter, Johnathan Cedillos Guevara, Monserrat Chairez, Francisco Chavero, James Clark, Hannah Copeland, Michael Covarrubias, Lilyanna Crawford-Abeita, Liam Creque, Emma Crossman, Natalie Cruz, Nestor Cruz, Valery Deschamps, Alani Falcon, Rodolfo Fernandez Gonzalez, Xitlaly Figueroa-Soto, Gessica Foss, Alyssa Freeman, Nadia Fulton, Alexa Gallman, Jared Garcia, Noah Garcia, Valarie Garcia, Vanesska Gjabel, Florencia Gomes, Diana Gomez, Lucas Heinrich, Javen Jacinto, Nohelany Jimenez, Ria Veronica Karagdag, Isabella Lacaze, Ryan Leal, Nolan Lopez Corona, Jonathan Lopez-Sanchez, Vincent Mancini, Israel Martinez, Liliana Martinez, Aranza Medina-Fregoso, Sarahi Medrano-Sevilla, Evelyn Mendoza-Martinez, Gabriela Mihaere, Mauricio Millan, William Miranda-Ortiz, Annzuraya Monarrez, Liam Munoz, Amare Oba, Amanda Ochoa, Asia Ortiz, Nathaniel Overocker, Jose Palacios Vallecillo, Dayanara Paredes, Jose Paz, Alberto Perez, Dario Perez, Matthew Perez, Angel Portillo Bernal, Renato Racine, Paulo Ramirez, Zarel Ramos, Kenneth Reyes, Giovanni Rios Gallegos, Rachel Rivera, Emilio Romero, Moises Salazar Cueto, Savannah Sandoval, Brady Semer, Hailey Shadoff-Phang, Nadiya Simmons, Andrew Solano Ponce, Christian Solis, Trinity Spencer, Alana Kate Timbol, Bryan Torres, Jordan Tran, Vivian Vo, Gemma Welcher, Ivy White, Kyson Wu, and Michelle Zepeda Ochoa.

On request of Assemblywoman Jauregui, the privilege of the floor of the Assembly Chamber for this day was extended to Ashley Garza.

On request of Assemblyman Kramer, the privilege of the floor of the Assembly Chamber for this day was extended to the following students, teachers, and chaperones from Edith W. Fritsch Elementary School: Xavier Arcila, Aiden Baraza, Landen Anderson, Uriel Delgado, Keira Favero, Carlos Garcia, Brooke Hinton, Victor Kurpicz, Larissa Rupert, Shayleigh Masters, Charlie Moto, Drew Olson, Keilani Parrish, Addi Paxton, Thomas Raab, Makena Rice, Shane Robinson, Maliyaha Roque, Peter Woodbury, Xavier Hall, Jazelyn Avila, Maria Benshoof, August Campbell-Richards, Betsy Campbell-Richards, Leah Card, Adeline Carlson, Isaac Chambers, Avery Coleman, Ethan Cook, Camille Cuneo, Maxwell Gold, Madison Hager, Nicholas Heald, Gabriel Juarez, Abby Luis, Vivi Miner, Matthew Robinson, Kaden Sa, Azul Soto, Sean Thornton, Chloe Woodbury, Eddie Young, Ryder Beardsley, Linda Chaidez Vargas, Kaiden Cook, Marion Daniels, Aaliyah Depew, Santino Ferretti, Joshua Flores Garcia, Nathan Freed, Alexandria Fulton, Aubree Kaifesh, Nevaeh Kaylor, Trenton Leon, Jeremy Marino, Zoey McMenamy, Malena Oakie, Daryl Rudolph, Peyton

Siegmann, Laila Smith, Faith Stock, Jaren Thornburg, Sophie Wahl, Brayden Welch, Xyleah Callahan, Christian Carrasco, Joel Delgado, Audreyana Eldredge, Kyla Fratis, Giana Llamas, Anthony Martinez, Angelina Mendez-Zeron, Cordelia Mills, Wyatt Moline, Ryan Nguyen, Alexa Ortega, Jozahia Rodriguez, Brianna Rodriguez-Nunez, Daniel Rojas, Ryker Russell, Julian Salazar, Logan Veatch, Melissa Lopez, Karlee Skinner, Valerie Sotelo-Angel, and Hailey Thiel.

On request of Assemblyman Ohrenschall, the privilege of the floor of the Assembly Chamber for this day was extended to Chloe Woodbury and Betsy Campbell-Richards.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Niki Gomoluh.

On request of Assemblywoman Tolles, the privilege of the floor of the Assembly Chamber for this day was extended to Marissa Crook.

On request of Assemblyman Yeager, the privilege of the floor of the Assembly Chamber for this day was extended to Sean Thornton, Isaac Chambers, and August Campbell-Richards.

Assemblywoman Benitez-Thompson moved that the Assembly adjourn until Monday, May 22, 2017, at 11:30 a.m.

Motion carried.

Assembly adjourned at 2:14 p.m.

Approved:

JASON FRIERSON  
*Speaker of the Assembly*

Attest: SUSAN FURLONG  
*Chief Clerk of the Assembly*