

Senate Bill No. 192–Senators Spearman, Parks; Dondero Loop,  
D. Harris, Ohrenschall and Woodhouse

CHAPTER.....

AN ACT relating to health care; prescribing certain requirements for health benefits for the purpose of determining the minimum wage required to be paid to employees in private employment in this State; requiring a hospital to provide notice to a patient of certain rights; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Section 16 of Article 15 of the Nevada Constitution requires each employer in this State to pay a certain minimum wage to each employee of the employer. Under this provision of the Nevada Constitution, if an employer offers health benefits to an employee and his or her dependents, the minimum wage required to be paid to the employee is lower than the minimum wage otherwise required to be paid to the employee. (Nev. Const. Art. 15, § 16) **Section 1** of this bill establishes the minimum level of health benefits that an employer is required to make available to an employee and his or her dependents for the purpose of determining whether the employer is authorized to pay the lower minimum wage to the employee.

Existing law requires a hospital to provide certain information, including notice of certain rights of a patient, notice of the existence of the Bureau for Hospital Patients and an explanation of the services offered by the Bureau, to a patient upon admission. (NRS 449A.118) **Section 18.5** of this bill additionally requires a hospital to provide notice of the patient’s right to: (1) make a complaint to certain persons and entities; and (2) designate a caregiver to whom the hospital must provide instructions concerning aftercare. (NRS 449A.300-449A.330)

EXPLANATION – Matter in *bolded italics* is new; matter between brackets **[omitted-material]** is material to be omitted.

---

---

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

**Section 1.** Chapter 608 of NRS is hereby amended by adding thereto a new section to read as follows:

*For the purpose of determining the minimum wage that may be paid per hour to an employee in private employment pursuant to Section 16 of Article 15 of the Nevada Constitution and NRS 608.250, an employer:*

*1. Provides health benefits as described in Section 16 of Article 15 of the Nevada Constitution only if the employer makes available to the employee and the employee’s dependents:*

*(a) At least one health benefit plan that provides:*

*(1) Coverage for services in each of the following categories and the items and services covered within the following categories:*



- (I) Ambulatory patient services;*
  - (II) Emergency services;*
  - (III) Hospitalization;*
  - (IV) Maternity and newborn care;*
  - (V) Mental health and substance use disorder services, including, without limitation, behavioral health treatment;*
  - (VI) Prescription drugs;*
  - (VII) Rehabilitative and habilitative services and devices;*
  - (VIII) Laboratory services;*
  - (IX) Preventative and wellness services and chronic disease management;*
  - (X) Pediatric services, which are not required to include oral and vision care; and*
  - (XI) Any other health care service or coverage level required to be included in an individual or group health benefit plan pursuant to any applicable provision of title 57 of NRS; and*
- (2) A level of coverage that is designed to provide benefits that are actuarially equivalent to at least 60 percent of the full actuarial value of the benefits provided under the plan; or*
- (b) Health benefits pursuant to a Taft-Hartley trust which is formed pursuant to 29 U.S.C. § 186(c)(5) and qualifies as an employee welfare benefit plan pursuant to:*
- (1) The Employee Retirement Income Security Act of 1974, 29 U.S.C. §§ 1001 et seq.; or*
  - (2) The provisions of the Internal Revenue Code; and*
- 2. Does not provide health benefits as described in Section 16 of Article 15 of the Nevada Constitution if the employer makes available to the employee and the employee's dependents a hospital-indemnity insurance plan or fixed-indemnity insurance plan unless the employer separately makes available to the employee and the employee's dependents at least one health benefit plan that complies with the requirements of subsection 1.*
- 3. As used in this section, "health benefit plan" has the meaning ascribed to it in NRS 687B.470.*

**Sec. 2.** (Deleted by amendment.)

**Sec. 3.** NRS 444.300 is hereby amended to read as follows:

444.300 Any person employed by a children's camp on a written contract basis for a specified term longer than 1 week is exempt from the provisions of NRS 608.250 to 608.290, inclusive, **and section 1 of this act** and chapter 609 of NRS relating to daily and weekly hours of labor only if such camp is operated by a



nonprofit organization which is exempt from federal income tax under I.R.C. § 501.

**Secs. 4-18.** (Deleted by amendment.)

**Sec. 18.5.** NRS 449A.118 is hereby amended to read as follows:

449A.118 1. Every medical facility and facility for the dependent shall inform each patient or the patient's legal representative, upon the admission of the patient to the facility, of the patient's rights as listed in NRS 449A.100 and 449A.106 to 449A.115, inclusive.

2. In addition to the requirements of subsection 1, if a person with a disability is a patient at a facility, as that term is defined in NRS 449A.218, the facility shall inform the patient of his or her rights pursuant to NRS 449A.200 to 449A.263, inclusive.

3. In addition to the requirements of subsections 1 and 2, every hospital shall, upon the admission of a patient to the hospital, provide to the patient or the patient's legal representative ~~the~~:

*(a) Notice of the right of the patient to:*

*(1) Designate a caregiver pursuant to NRS 449A.300 to 449A.330, inclusive; and*

*(2) Express complaints and grievances as described in paragraphs (b) to (f), inclusive;*

*(b) The name and contact information for persons to whom such complaints and grievances may be expressed, including, without limitation, a patient representative or hospital social worker;*

*(c) Instructions for filing a complaint with the Division;*

*(d) The name and contact information of any entity responsible for accrediting the hospital;*

*(e) A written disclosure approved by the Director of the Department of Health and Human Services, which written disclosure must set forth:*

~~(a)~~ *(1) Notice of the existence of the Bureau for Hospital Patients created pursuant to NRS 232.462;*

~~(b)~~ *(2) The address and telephone number of the Bureau; and*

~~(c)~~ *(3) An explanation of the services provided by the Bureau, including, without limitation, the services for dispute resolution described in subsection 3 of NRS 232.462 ~~and~~; and*

*(f) Contact information for any other state or local entity that investigates complaints concerning the abuse or neglect of patients.*

4. In addition to the requirements of subsections 1, 2 and 3, every hospital shall, upon the discharge of a patient from the



hospital, provide to the patient or the patient's legal representative a written disclosure approved by the Director, which written disclosure must set forth:

(a) If the hospital is a major hospital:

(1) Notice of the reduction or discount available pursuant to NRS 439B.260, including, without limitation, notice of the criteria a patient must satisfy to qualify for a reduction or discount under that section; and

(2) Notice of any policies and procedures the hospital may have adopted to reduce charges for services provided to persons or to provide discounted services to persons, which policies and procedures are in addition to any reduction or discount required to be provided pursuant to NRS 439B.260. The notice required by this subparagraph must describe the criteria a patient must satisfy to qualify for the additional reduction or discount, including, without limitation, any relevant limitations on income and any relevant requirements as to the period within which the patient must arrange to make payment.

(b) If the hospital is not a major hospital, notice of any policies and procedures the hospital may have adopted to reduce charges for services provided to persons or to provide discounted services to persons. The notice required by this paragraph must describe the criteria a patient must satisfy to qualify for the reduction or discount, including, without limitation, any relevant limitations on income and any relevant requirements as to the period within which the patient must arrange to make payment.

↪ As used in this subsection, "major hospital" has the meaning ascribed to it in NRS 439B.115.

5. In addition to the requirements of subsections 1 to 4, inclusive, every hospital shall post in a conspicuous place in each public waiting room in the hospital a legible sign or notice in 14-point type or larger, which sign or notice must:

(a) Provide a brief description of any policies and procedures the hospital may have adopted to reduce charges for services provided to persons or to provide discounted services to persons, including, without limitation:

(1) Instructions for receiving additional information regarding such policies and procedures; and

(2) Instructions for arranging to make payment;

(b) Be written in language that is easy to understand; and

(c) Be written in English and Spanish.

**Sec. 19.** 1. This act becomes effective upon passage and approval for the purpose of adopting regulations and performing any



other administrative tasks that are necessary to carry out the provisions of this act and on January 1, 2020, for all other purposes.

2. The amendatory provisions of section 1 of this act expire by limitation on November 24, 2020, if the provisions of Senate Joint Resolution No. 6 of the 79th Session of the Nevada Legislature (2017) are agreed to and passed by the 2019 Legislature and approved and ratified by the voters at the 2020 General Election.

