

THE NINETY-THIRD DAY

CARSON CITY (Tuesday), May 7, 2019

Assembly called to order at 12:19 p.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblymen Hambrick and Martinez, who were excused, and one vacant.

Prayer by the Chaplain, Reverend Karen Linsley.

There is a power greater than any one of us called by many different names: God, Spirit, the Universe. This power is a presence of intelligence, love, and light and is the happiness of every condition. This presence sanctifies every activity and this body is no exception. This presence is everywhere, works through everyone and operates here today in all that is said and done. All deliberations in this session are guided by this intelligence and embody this love. I know this presence provides a larger understanding to everyone present here today. All activities here today bring light to all our citizens and strengthen our social fabric in spirit and in truth, so that our union may be strong and our society just. This power operates through everyone present here today, all minds and hearts are uplifted today, and so this session is now blessed and ready to perform its good works. And so it is!

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 Health and Human Services, to which were referred Senate Bills Nos. 17, 18, 77, 92, 184, 284, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LESLEY E. COHEN, *Chair*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate Bill No. 46, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

STEVE YEAGER, *Chair*

Mr. Speaker:

Your Committee on Natural Resources, Agriculture, and Mining, to which were referred Senate Bills Nos. 55, 85, 232, 454, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Committee on Natural Resources, Agriculture, and Mining, to which was referred Senate Concurrent Resolution No. 5, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

HEIDI SWANK, *Chair*

Mr. Speaker:

Your Committee on Ways and Means, to which was rereferred Assembly Bill No. 151, 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. 298, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

Also, your Committee on Ways and Means, to which was referred Assembly Bill No. 508, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MAGGIE CARLTON, *Chair*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 6, 2019

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 11, Amendment No. 651, and respectfully requests your honorable body to concur in said amendment.

SHERRY RODRIGUEZ
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

NOTICE OF WAIVER

A Waiver requested by: Assembly Committee on Judiciary.

For: BDR No. 16-1220

Requires the addition of victim services in emergency response plans.

To Waive:

Subsection 1 of Joint Standing Rule No. 14.2 (dates for introduction of BDRs requested by individual legislators and committees).

Subsection 1 of Joint Standing Rule No. 14.3 (out of final committee of house of origin by 68th day).

Subsection 2 of Joint Standing Rule No. 14.3 (out of house of origin by 79th day).

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 6, 2019.

SENATOR NICOLE J. CANNIZZARO
Senate Majority Leader

ASSEMBLYMAN JASON FRIERSON
Speaker of the Assembly

A Waiver requested by: Assembly Committee on Judiciary.

For: BDR No. 60-1217

Creates the Cannabis Compliance Board.

To Waive:

Subsection 1 of Joint Standing Rule No. 14.2 (dates for introduction of BDRs requested by individual legislators and committees).

Subsection 1 of Joint Standing Rule No. 14.3 (out of final committee of house of origin by 68th day).

Subsection 2 of Joint Standing Rule No. 14.3 (out of house of origin by 79th day).

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 6, 2019.

SENATOR NICOLE J. CANNIZZARO
Senate Majority Leader

ASSEMBLYMAN JASON FRIERSON
Speaker of the Assembly

A Waiver requested by: Senate Committee on Government Affairs.

For: BDR No. 18-1222

Creates the Governor's Office for New Americans.

To Waive:

Subsection 1 of Joint Standing Rule No. 14.2 (dates for introduction of BDRs requested by individual legislators and committees).

Subsection 1 of Joint Standing Rule No. 14.3 (out of final committee of house of origin by 68th day).

Subsection 2 of Joint Standing Rule No. 14.3 (out of house of origin by 79th day).

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 6, 2019.

SENATOR NICOLE J. CANNIZZARO

Senate Majority Leader

ASSEMBLYMAN JASON FRIERSON

Speaker of the Assembly

A Waiver requested by: Senate Committee on Health and Human Services.

For: BDR No. 40-1221

Creates the Patient Protection Commission.

To Waive:

Subsection 1 of Joint Standing Rule No. 14.2 (dates for introduction of BDRs requested by individual legislators and committees).

Subsection 1 of Joint Standing Rule No. 14.3 (out of final committee of house of origin by 68th day).

Subsection 2 of Joint Standing Rule No. 14.3 (out of house of origin by 79th day).

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 6, 2019.

SENATOR NICOLE J. CANNIZZARO

Senate Majority Leader

ASSEMBLYMAN JASON FRIERSON

Speaker of the Assembly

Assemblywoman Benitez-Thompson moved that the persons set forth on the Nevada Legislature's Press Accreditation List of May 7, 2019, be accepted as accredited press representatives, that they be assigned space at the press table in the Assembly Chamber, that they be allowed the use of appropriate broadcasting facilities, and the list be included in this day's Journal:

BIG TV: Jeremy Robbins; FALLON POST, THE: Rachel Dahl; KOLO-TV: Rebecca Kitchen, Denise (Little) Wong; MISS USA: Eric Bini, Matt Bockal, Isaac Brooks, Michael Churtin, Justin Marting, Greg Mezey, Shane Pederson, Bridie Rubino, Katy Savard, Antonio Woods.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Ways and Means:

Assembly Bill No. 527—AN ACT relating to support of dependent children; increasing the annual fee imposed for collections of child support in certain cases; and providing other matters properly relating thereto.

Assemblywoman Carlton moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 528—AN ACT relating to health care; removing the prospective expiration of certain provisions relating to the list of preferred prescription drugs to be used for the Medicaid program; and providing other matters properly relating thereto.

Assemblywoman Carlton moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 496.

Bill read second time and ordered to third reading.

Assembly Bill No. 510.

Bill read second time and ordered to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 157.

Bill read third time.

Remarks by Assemblywoman Titus.

ASSEMBLYWOMAN TITUS:

Assembly Bill 157 establishes provisions related to certain services concerning victims of human trafficking. Assembly Bill 157, as amended, requires the Department of Health and Human Services to develop a statewide plan for the delivery of services to victims of human trafficking. The plan must provide for various services related to human trafficking, including the identification of victims, assistance to victims, and the preparation and dissemination of educational materials. Assembly Bill 157, as amended, also requires the Department of Education and the State Board of Education to develop and distribute certain informational materials and resources relating to the identification and prevention of human trafficking of children to parents, students, school districts, administrators, principals, teachers, and all other school district personnel.

I am proud to present this bill for Assemblyman Hambrick who has not been able to join us very much during the session. This is one of his bills that he has championed for all of his legislative years and I would hope you would support it.

Roll call on Assembly Bill No. 157:

YEAS—39.

NAYS—None.

EXCUSED—Hambrick, Martinez—2.

VACANT—1.

Assembly Bill No. 157 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 290.

Bill read third time.

Remarks by Assemblywoman Jauregui.

ASSEMBLYWOMAN JAUREGUT:

Assembly Bill 290 requires the Department of Business and Industry to establish a registry that is publicly accessible via an Internet website to track certain persons in the construction industry who have completed required courses in construction industry safety and health hazard recognition and to track persons who are authorized as trainers of such courses. Assembly Bill 290, as amended, also revises provisions concerning when a worker must obtain a completion card for a workplace safety and health hazard training course.

Roll call on Assembly Bill No. 290:

YEAS—39.

NAYS—None.

EXCUSED—Hambrick, Martinez—2.

VACANT—1.

Assembly Bill No. 290 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 499.

Bill read third time.

Remarks by Assemblywoman Carlton.

ASSEMBLYWOMAN CARLTON:

Assembly Bill 499 provides for the limited issue of a special license plate commemorating the 100th anniversary of women's suffrage in the United States. And no, I am not a hundred years old so I do not remember that day. Fees generated from these plates will be distributed to the Nevada Commission for Women.

The irony of me standing here doing a special license plate in front of this body goes without saying. I had promised the former Assemblywoman from District 3 who used to sit to the left of me, the last time we did a special license plate, that we would never do it again. Well, I am sure she is smiling down on me because we are doing this for the Nevada Commission for Women. I would also like to thank my male colleagues for keeping your ink away from this bill so that it could stay Assemblywomen. We appreciate that and we do expect your votes here in just a moment, so do not think you are off the hook with that.

This bill is only the third time in our history that I can confirm, Mr. Speaker, that there has been a photo or some type of insignia in the bill. We have done one with the State Seal like the one you see on the wall of our Chamber. We did one with the State Tartan when the colors for the tartan were designated. Now for the third time in history, this bill has a photo—the first majority-female legislature in this country. We are very proud of that.

With that, I would encourage every member of this body to vote in favor of Assembly Bill 499 and I promise you, Mr. Speaker, in the year 2021 I will not do a special license plate bill.

Roll call on Assembly Bill No. 499:

YEAS—39.

NAYS—None.

EXCUSED—Hambrick, Martinez—2.

VACANT—1.

Assembly Bill No. 499 having received a two-thirds majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 68.

Bill read third time.

Remarks by Assemblywoman Spiegel.

ASSEMBLYWOMAN SPIEGEL:

This bill does great stuff and it helps in an emergency and I urge that we all support Senate Bill 68.

Roll call on Senate Bill No. 68:

YEAS—39.

NAYS—None.

EXCUSED—Hambrick, Martinez—2.

VACANT—1.

Senate Bill No. 68 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 72.

Bill read third time.

Remarks by Assemblyman Watts.

ASSEMBLYMAN WATTS:

Senate Bill 72 provides for the suspension of a registered gaming employee who is arrested by an agent of the Nevada Gaming Control Board and extends exemptions to the Open Meeting Law for certain proceedings or actions conducted by the Board. The bill also adds new notification requirements for gaming employees who are or become security guards, revises the fee structure for applications processed by the Board, and adds theft to the list of crimes for which the Board may revoke an employee's registration. Finally, the bill revises the definition of "associated equipment" and authorizes the Board to adopt regulations concerning technological advances that make it possible for associated equipment to be located at a hosting center.

Roll call on Senate Bill No. 72:

YEAS—39.

NAYS—None.

EXCUSED—Hambrick, Martinez—2.

VACANT—1.

Senate Bill No. 72 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 74.

Bill read third time.

Remarks by Assemblywoman Peters.

ASSEMBLYWOMAN PETERS:

Senate Bill 74 clarifies that either a landlord or a tenant may appeal a summary eviction order entered for nonpayment of rent by filing a notice within ten days after the order has been entered and makes this appeal process available regarding mobile home parks. The bill also provides that a verified complaint for expedited relief may be consolidated with a summary eviction or unlawful detainer action that is pending between a landlord and tenant.

Roll call on Senate Bill No. 74:

YEAS—39.

NAYS—None.

EXCUSED—Hambrick, Martinez—2.

VACANT—1.

Senate Bill No. 74 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 97.

Bill read third time.

Remarks by Assemblymen Krasner and Wheeler.

ASSEMBLYWOMAN KRASNER:

Senate Bill 97 provides that a defendant's discovery of a victim's actual or perceived sexual orientation or gender identity is not an objectively reasonable defense for the existence of an alleged state of passion defense.

I rise today in support of Senate Bill 97. The gay panic defense is a legal strategy which asks the jury to find that a victim's sexual orientation or gender identity is to blame for the defendant's loss of control and murder of the victim. The most notable case of the use of this defense was in 1998 when Matthew Shepard, a 21-year-old college student, was beaten to death, tortured, tied to a fence, and set on fire by two men. The men attempted to use the gay panic defense to excuse their hateful actions. The use of the gay panic defense sends a message to everyone that the life or the suffering of a gay person is not equal to the life or the suffering of other victims and will not be punished in the same manner. This is wrong.

By acquitting a perpetrator who uses the gay panic defense against an LGBT victim, it implies that the LGBT lives are worth less than other lives. I believe that Senate Bill 97 is a necessary step to safeguard the rights of all citizens. The Fourteenth Amendment to the *Constitution* states that all persons have equal rights under law—male or female, black or white, rich or poor, gay or straight. We as a state must respect the rights of all citizens and make sure that our laws do not validate violence against any of our citizens. I urge my colleagues to vote yes on S.B. 97.

ASSEMBLYMAN WHEELER:

I believe in the right of every citizen in this country to have a defense, no matter how dumb it may be. I believe this is probably one of the worse defenses I have ever heard. However, I also believe that we have that right and our courts should err on the side of innocence. Should someone actually be mentally deranged and think that this is a good thing for their defense, I do not think it should be stripped away from them. For that reason, I am going to have to vote no on this bill.

Roll call on Senate Bill No. 97:

YEAS—36.

NAYS—Edwards, Fumo, Wheeler—3.

EXCUSED—Hambrick, Martinez—2.

VACANT—1.

Senate Bill No. 97 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 117.

Bill read third time.

Remarks by Assemblywomen Torres and Krasner.

ASSEMBLYWOMAN TORRES:

Senate Bill 117 provides that any written instrument relating to certain transactions involving real property that contains any restriction or prohibition based on ancestry, color, disability, familial status, gender identity or expression, national origin, race, sex, or sexual orientation is void.

I rise in support of S.B. 117 today. It is appalling to me that we still have statutes in place that restrict an individual from having the right to live in their home. While there are other regulations in place, we must ensure that there is a quick and easy fix to this issue in our communities.

ASSEMBLYWOMAN KRASNER:

I rise today in support of Senate Bill 117. I was shocked during committee to find that some leasing and mortgage documents contain racially discriminatory language aimed at curbing individuals from different backgrounds from buying homes. This does not reflect who we are as a society or who we are as Nevadans. Senate Bill 117 would make any restriction or prohibition on real property leasing or mortgaging instruments based on race, color, religion, national origin, or sexual orientation void. All persons in this state should have equal opportunity to inherit, purchase, lease, or rent real property without discrimination based on race, color, religion, national origin, sexual orientation, or gender identity. I urge my colleagues to vote yes on Senate Bill 117.

Roll call on Senate Bill No. 117:

YEAS—39.

NAYS—None.

EXCUSED—Hambrick, Martinez—2.

VACANT—1.

Senate Bill No. 117 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 154.

Bill read third time.

Remarks by Assemblywoman Nguyen.

ASSEMBLYWOMAN NGUYEN:

Senate Bill 154 requires the Public Utilities Commission of Nevada to adopt regulations authorizing a public utility that purchases natural gas for resale to engage in a renewable natural gas activity and to recover the reasonable and prudent costs of such an activity. The activity must provide certain environmental benefits and be approved by the Commission. The measure also requires a public utility that purchases natural gas for resale to attempt to meet certain goals for incorporating renewable natural gas into its gas supply portfolio.

Roll call on Senate Bill No. 154:

YEAS—38.

NAYS—Carlton.

EXCUSED—Hambrick, Martinez—2.

VACANT—1.

Senate Bill No. 154 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 274.

Bill read third time.

Remarks by Assemblywoman Hansen.

ASSEMBLYWOMAN HANSEN:

Senate Bill 274 revises terms of imprisonment for the category B felony of discharging a firearm in certain circumstances. The maximum term of imprisonment for willfully and maliciously shooting into an aircraft, occupied building, train, vessel, or other structure from outside the structure or vehicle is raised from six years to ten years. The term of imprisonment for shooting from inside a structure or vehicle is revised downward from 2 to 15 years to 1 to 10 years, bringing the penalties for the two similar crimes into conformity with each other. This bill is effective on July 1, 2019.

Roll call on Senate Bill No. 274:

YEAS—39.

NAYS—None.

EXCUSED—Hambrick, Martinez—2.

VACANT—1.

Senate Bill No. 274 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 286.

Bill read third time.

Remarks by Assemblyman Fumo.

ASSEMBLYMAN FUMO:

Senate Bill 286 revises provisions concerning how the Department of Corrections is to aggregate sentences for offenders who have been convicted of more than one offense.

Roll call on Senate Bill No. 286:

YEAS—39.

NAYS—None.

EXCUSED—Hambrick, Martinez—2.

VACANT—1.

Senate Bill No. 286 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 331.

Bill read third time.

Remarks by Assemblymen Roberts and Leavitt.

ASSEMBLYMAN ROBERTS:

Senate Bill 331 designates the portion of Interstate Highway No. 11 situated in Nevada as the Purple Heart Highway. The Director of Nevada's Department of Transportation must erect and maintain suitable markers reflecting this designation along that portion of the highway. The Director is authorized to accept gifts, grants, and donations to help pay the costs of such markers and maintenance.

ASSEMBLYMAN LEAVITT:

I rise in support of this measure. As the portion of the highway seeking dedication as the Purple Heart Highway is located in my home town of Boulder City, I would like to speak very briefly of two recent Purple Heart recipients from Boulder City.

Petty Officer Second Class Eric "Shane" Patton died June 28, 2005, when the helicopter he was in was shot down in the mountains of Afghanistan. He was part of a team sent to rescue a SEAL team in a heavy firefight. Petty Officer Patton was a member of SEAL Delivery Vehicle Team One. Patton was born November 15, 1982. He lived in Boulder City, Nevada, and joined the Navy SEALs in 2000. July 24, 2005, Navy SEAL Shane Patton, for his gallantry in action, received the Bronze Star Medal with Valor, the Purple Heart, and the Combat Action Ribbon. Petty Officer Patton is buried at the Southern Nevada Veteran's Memorial Cemetery in Boulder City, Nevada.

Corporal Matthew A. Commons attended Boulder City High School where he graduated with honors in 1999. In accordance with Operation Anaconda, two Ranger quick reaction teams were selected for a mission to rescue a fellow Special Operations soldier. Within hours, the quick reaction team was en route. Corporal Commons' helicopter was disabled by an RPG [rocket-propelled grenade] and crash landed in the middle of a hot zone. Upon exiting the craft, three

Rangers, including Corporal Commons, lost their lives. Corporal Commons was awarded the Purple Heart, the Bronze Star with Valor, the Meritorious Service Medal, the Combat Infantryman Badge, and was posthumously promoted to Corporal. Corporal Matthew A. Commons is buried at Arlington National Cemetery. He was buried six months after 9-11.

Thank you, Mr. Speaker, for providing me with the opportunity to honor these two heroes.

Roll call on Senate Bill No. 331:

YEAS—39.

NAYS—None.

EXCUSED—Hambrick, Martinez—2.

VACANT—1.

Senate Bill No. 331 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 147.

The following Senate amendment was read:

Amendment No. 649.

ASSEMBLYMEN TITUS, CARLTON, NEAL, KRAMER, KRASNER; ASSEFA, BENITEZ-THOMPSON, EDWARDS, ELLISON, GORELOW, HAFEN, HANSEN, HARDY, LEAVITT, MILLER, MUNK, ROBERTS, SPIEGEL, TOLLES AND WHEELER

JOINT SPONSOR: SENATOR WOODHOUSE

AN ACT relating to providers of health care; authorizing a physician assistant or advanced practice registered nurse to perform certain services; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires a child who sustains or is suspected of sustaining an injury to the head while participating in a competitive sport or interscholastic activity or event to be immediately removed from the sport, event or activity. The child may return to the sport, event or activity if his or her parent or legal guardian provides a signed statement of a physician, physical therapist, athletic trainer or, for a competitive sport governed by an organization for youth sports other than the Nevada Interscholastic Activities Association, an advanced practice registered nurse indicating that the child is medically cleared for participation in the sport, activity or event. (NRS 385B.080, 392.452, 455A.200) **Sections 1, 4 and 6** of this bill additionally authorize a physician assistant to complete such a statement. **Sections 4 and 6** also authorize an advanced practice registered nurse to complete such a statement for an interscholastic activity or event or a competitive sport governed by the Nevada Interscholastic Activities Association.

Existing law provides that a medical device sold to a governmental entity is exempt from sales tax regardless of whether the governmental entity or the person using the device will hold title to the device if: (1) the device is prescribed by certain providers of health care for use by the person to whom it is prescribed; (2) the device is covered by Medicaid or Medicare; and (3) the

purchase of the medical device is made pursuant to a contract between the governmental entity and the seller. (NRS 372.7285, 374.731) **Sections 2 and 3** of this bill provide that a medical device prescribed by a physician assistant is exempt from sales tax under the same conditions as a medical device prescribed by another eligible provider of health care.

Existing law authorizes the parent or legal guardian of a pupil who has asthma, anaphylaxis or diabetes to submit a written request that the public or private school in which the pupil is enrolled allow the pupil to self-administer medication for his or her condition while on the grounds of a school, participating in an activity sponsored by a school or on a school bus. (NRS 392.425, 394.1999) If such a request concerns a pupil enrolled at a public school, the request must include certain documentation from a physician or advanced practice registered nurse. (NRS 392.425) If such a request concerns a pupil enrolled at a private school, such documentation must be completed by a physician. (NRS 394.1999) **Sections 5 and 7** of this bill additionally authorize: (1) a physician assistant to complete such documentation with regard to a pupil enrolled at a public or private school; and (2) an advanced practice registered nurse to complete such documentation with regard to a pupil enrolled at a private school.

The Department of Motor Vehicles is authorized to issue a special license plate, parking placard or parking sticker upon submission of an application that includes a statement from a licensed physician or advanced practice registered nurse that the applicant is a person with a disability. (NRS 482.384) The holder of a special license plate, parking placard or parking sticker may park in a parking space designated for persons who are handicapped. (NRS 484B.467) **Sections 8-11** of this bill additionally authorize a physician assistant to complete the required statement.

Existing law authorizes a physician assistant to perform such medical services as he or she is authorized to perform by his or her supervising physician. (NRS 630.271, 633.432) **Sections 12 and 14** of this bill provide that those medical services may include ordering home health care for a patient. **Section 13** of this bill additionally authorizes an advanced practice registered nurse to order home health care for a patient.

Existing law authorizes a hearing aid specialist or dispensing audiologist to sell hearing aids by catalog, mail or the Internet if the hearing aid specialist or dispensing audiologist has received documentation of certain examinations from a physician or advanced practice registered nurse. (NRS 637B.242) **Section 15** of this bill additionally authorizes a physician assistant to complete such documentation.

Under existing law, a person who applies for employment as a driver of a taxicab must provide a certificate from a physician, advanced practice registered nurse or chiropractic physician stating that the prospective driver meets certain health requirements prescribed in federal regulations. (NRS 706.8842) **Section 16** of this bill additionally authorizes a physician assistant to complete such a certificate.

Section 17 of this bill requires a state and local governmental entity to update any form issued by the entity to conform to the provisions of this bill authorizing a physician assistant or advanced practice registered nurse to perform certain tasks.

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

Section 1. NRS 455A.200 is hereby amended to read as follows:

455A.200 1. Each organization for youth sports that sanctions or sponsors competitive sports for youths in this State shall adopt a policy concerning the prevention and treatment of injuries to the head which may occur during a youth's participation in those competitive sports, including, without limitation, a concussion of the brain. To the extent practicable, the policy must be consistent with the policy adopted by the Nevada Interscholastic Activities Association pursuant to NRS 385B.080. The policy must provide information concerning the nature and risk of injuries to the head which may occur during a youth's participation in competitive sports, including, without limitation, the risks associated with continuing to participate in competitive sports after sustaining such an injury.

2. The policy adopted pursuant to subsection 1 must require that if a youth sustains or is suspected of sustaining an injury to the head while participating in competitive sports, the youth:

(a) Must be immediately removed from the competitive sport; and

(b) May return to the competitive sport if the parent or legal guardian of the youth provides a signed statement of a provider of health care indicating that the youth is medically cleared for participation in the competitive sport and the date on which the youth may return to the competitive sport.

3. Before a youth participates in competitive sports sanctioned or sponsored by an organization for youth sports in this State, the youth and his or her parent or legal guardian:

(a) Must be provided with a copy of the policy adopted pursuant to subsection 1; and

(b) Must sign a statement on a form prescribed by the organization for youth sports acknowledging that the youth and his or her parent or legal guardian have read and understand the terms and conditions of the policy.

4. As used in this section:

(a) "Provider of health care" means a physician *or physician assistant* licensed under chapter 630 or 633 of NRS, an advanced practice registered nurse ~~who holds a valid license as an advanced practice registered nurse issued by the State Board of Nursing pursuant to NRS 632.237,~~ *licensed under chapter 632 of NRS*, a physical therapist licensed under chapter 640 of NRS or an athletic trainer licensed under chapter 640B of NRS.

(b) "Youth" means a person under the age of 18 years.

Sec. 2. NRS 372.7285 is hereby amended to read as follows:

372.7285 1. In administering the provisions of NRS 372.325, the Department shall apply the exemption to the sale of a medical device to a governmental entity that is exempt pursuant to that section without regard to whether the person using the medical device or the governmental entity that purchased the device is deemed to be the holder of title to the device if:

(a) The medical device was ordered or prescribed by a provider of health care, within his or her scope of practice, for use by the person to whom it is provided;

(b) The medical device is covered by Medicaid or Medicare; and

(c) The purchase of the medical device is made pursuant to a contract between the governmental entity that purchases the medical device and the person who sells the medical device to the governmental entity.

2. As used in this section:

(a) "Medicaid" means the program established pursuant to Title XIX of the Social Security Act, 42 U.S.C. §§ 1396 et seq., to provide assistance for part or all of the cost of medical care rendered on behalf of indigent persons.

(b) "Medicare" means the program of health insurance for aged persons and persons with disabilities established pursuant to Title XVIII of the Social Security Act, 42 U.S.C. §§ 1395 et seq.

(c) "Provider of health care" means a physician *or physician assistant* licensed pursuant to chapter 630, 630A or 633 of NRS, perfusionist, dentist, licensed nurse, dispensing optician, optometrist, practitioner of respiratory care, registered physical therapist, podiatric physician, licensed psychologist, licensed audiologist, licensed speech-language pathologist, licensed hearing aid specialist, licensed marriage and family therapist, licensed clinical professional counselor, chiropractor, licensed dietitian or doctor of Oriental medicine in any form.

Sec. 3. NRS 374.731 is hereby amended to read as follows:

374.731 1. In administering the provisions of NRS 374.330, the Department shall apply the exemption to the sale of a medical device to a governmental entity that is exempt pursuant to that section without regard to whether the person using the medical device or the governmental entity that purchased the device is deemed to be the holder of title to the device if:

(a) The medical device was ordered or prescribed by a provider of health care, within his or her scope of practice, for use by the person to whom it is provided;

(b) The medical device is covered by Medicaid or Medicare; and

(c) The purchase of the medical device is made pursuant to a contract between the governmental entity that purchases the medical device and the person who sells the medical device to the governmental entity.

2. As used in this section:

(a) "Medicaid" means the program established pursuant to Title XIX of the Social Security Act, 42 U.S.C. §§ 1396 et seq., to provide assistance for part or all of the cost of medical care rendered on behalf of indigent persons.

(b) “Medicare” means the program of health insurance for aged persons and persons with disabilities established pursuant to Title XVIII of the Social Security Act, 42 U.S.C. §§ 1395 et seq.

(c) “Provider of health care” means a physician *or physician assistant* licensed pursuant to chapter 630, 630A or 633 of NRS, perfusionist, dentist, licensed nurse, dispensing optician, optometrist, practitioner of respiratory care, registered physical therapist, podiatric physician, licensed psychologist, licensed audiologist, licensed speech-language pathologist, licensed hearing aid specialist, licensed marriage and family therapist, licensed clinical professional counselor, chiropractor, licensed dietitian or doctor of Oriental medicine in any form.

Sec. 4. NRS 385B.080 is hereby amended to read as follows:

385B.080 1. The Nevada Interscholastic Activities Association shall adopt a policy concerning the prevention and treatment of injuries to the head which may occur during a pupil’s participation in interscholastic activities and events, including, without limitation, a concussion of the brain. The policy must provide information concerning the nature and risk of injuries to the head which may occur during a pupil’s participation in interscholastic activities and events, including, without limitation, the risks associated with continuing to participate in the activity or event after sustaining such an injury.

2. The policy adopted pursuant to subsection 1 must require that if a pupil sustains or is suspected of sustaining an injury to the head while participating in an interscholastic activity or event, the pupil:

(a) Must be immediately removed from the activity or event; and

(b) May return to the activity or event if the parent or legal guardian of the pupil provides a signed statement of a provider of health care indicating that the pupil is medically cleared for participation in the activity or event and the date on which the pupil may return to the activity or event.

3. Before a pupil participates in an interscholastic activity or event, and on an annual basis thereafter, the pupil and his or her parent or legal guardian:

(a) Must be provided with a copy of the policy adopted pursuant to subsection 1; and

(b) Must sign a statement on a form prescribed by the Nevada Interscholastic Activities Association acknowledging that the pupil and his or her parent or guardian have read and understand the terms and conditions of the policy.

4. As used in this section, “provider of health care” means a physician *or physician assistant* licensed under chapter 630 or 633 of NRS, *an advanced practice registered nurse licensed under chapter 632 of NRS*, a physical therapist licensed under chapter 640 of NRS or an athletic trainer licensed under chapter 640B of NRS.

Sec. 5. NRS 392.425 is hereby amended to read as follows:

392.425 1. The parent or legal guardian of a pupil who has asthma, anaphylaxis or diabetes may submit a written request to the principal or, if applicable, the school nurse of the public school in which the pupil is enrolled

to allow the pupil to self-administer medication for the treatment of the pupil's asthma, anaphylaxis or diabetes while the pupil is on the grounds of a public school, participating in an activity sponsored by a public school or on a school bus.

2. A public school shall establish protocols for containing blood-borne pathogens and the handling and disposal of needles, medical devices and other medical waste and provide a copy of these protocols and procedures to the parent or guardian of a pupil who requests permission for the pupil to self-administer medication pursuant to subsection 1.

3. A written request made pursuant to subsection 1 must include:

(a) A signed statement of a physician, *physician assistant* or advanced practice registered nurse indicating that the pupil has asthma, anaphylaxis or diabetes and is capable of self-administration of the medication while the pupil is on the grounds of a public school, participating in an activity sponsored by a public school or on a school bus;

(b) A written treatment plan prepared by the physician, *physician assistant* or advanced practice registered nurse pursuant to which the pupil will manage his or her asthma, anaphylaxis or diabetes if the pupil experiences an asthmatic attack, anaphylactic shock or diabetic episode while on the grounds of a public school, participating in an activity sponsored by a public school or on a school bus; and

(c) A signed statement of the parent or legal guardian:

(1) Indicating that the parent or legal guardian grants permission for the pupil to self-administer the medication while the pupil is on the grounds of a public school, participating in an activity sponsored by a public school or on a school bus;

(2) Acknowledging that the parent or legal guardian is aware of and understands the provisions of subsections 4 and 5;

(3) Acknowledging the receipt of the protocols provided pursuant to subsection 2;

(4) Acknowledging that the protocols established pursuant to subsection 2 have been explained to the pupil who will self-administer the medication and that he or she has agreed to comply with the protocols; and

(5) Acknowledging that authorization to self-administer medication pursuant to this section may be revoked if the pupil fails to comply with the protocols established pursuant to subsection 2.

4. The provisions of this section do not create a duty for the board of trustees of the school district, the school district, the public school in which the pupil is enrolled, or an employee or agent thereof, that is in addition to those duties otherwise required in the course of service or employment.

5. If a pupil is granted authorization pursuant to this section to self-administer medication, the board of trustees of the school district, the school district and the public school in which the pupil is enrolled, and any employee or agent thereof, are immune from liability for the injury to or death of:

(a) The pupil as a result of self-administration of a medication pursuant to this section or the failure of the pupil to self-administer such a medication; and

(b) Any other person as a result of exposure to or injury caused by needles, medical devices or other medical waste from the self-administration of medication by a pupil pursuant to this section.

6. Upon receipt of a request that complies with subsection 3, the principal or, if applicable, the school nurse of the public school in which a pupil is enrolled shall provide written authorization for the pupil to carry and self-administer medication to treat his or her asthma, anaphylaxis or diabetes while the pupil is on the grounds of a public school, participating in an activity sponsored by a public school or on a school bus. The written authorization must be filed with the principal or, if applicable, the school nurse of the public school in which the pupil is enrolled and must include:

(a) The name and purpose of the medication which the pupil is authorized to self-administer;

(b) The prescribed dosage and the duration of the prescription;

(c) The times or circumstances, or both, during which the medication is required or recommended for self-administration;

(d) The side effects that may occur from an administration of the medication;

(e) The name and telephone number of the pupil's physician, *physician assistant* or advanced practice registered nurse and the name and telephone number of the person to contact in the case of a medical emergency concerning the pupil; and

(f) The procedures for the handling and disposal of needles, medical devices and other medical waste.

7. The written authorization provided pursuant to subsection 6 is valid for 1 school year. If a parent or legal guardian submits a written request that complies with subsection 3, the principal or, if applicable, the school nurse of the public school in which the pupil is enrolled shall renew and, if necessary, revise the written authorization.

8. If a parent or legal guardian of a pupil who is authorized pursuant to this section to carry medication on his or her person provides to the principal or, if applicable, the school nurse of the public school in which the pupil is enrolled doses of the medication in addition to the dosage that the pupil carries on his or her person, the principal or, if applicable, the school nurse shall ensure that the additional medication is:

(a) Stored on the premises of the public school in a location that is secure; and

(b) Readily available if the pupil experiences an asthmatic attack, anaphylactic shock or diabetic episode during school hours.

9. As used in this section:

(a) "Advanced practice registered nurse" means a registered nurse who holds a valid license as an advanced practice registered nurse issued by the State Board of Nursing pursuant to NRS 632.237.

(b) “Medication” means any medicine prescribed by a physician, *physician assistant* or advanced practice registered nurse for the treatment of anaphylaxis, asthma or diabetes, including, without limitation, asthma inhalers, auto-injectable epinephrine and insulin.

(c) “Physician” means a person who is licensed to practice medicine pursuant to chapter 630 of NRS or osteopathic medicine pursuant to chapter 633 of NRS.

(d) *“Physician assistant” means a person who is licensed as a physician assistant pursuant to chapter 630 or 633 of NRS.*

(e) “Self-administer” means the auto-administration of a medication pursuant to the prescription for the medication or written directions for such a medication.

Sec. 6. NRS 392.452 is hereby amended to read as follows:

392.452 1. For those competitive sports not governed by the Nevada Interscholastic Activities Association pursuant to chapter 385B of NRS, the board of trustees of each school district shall adopt a policy concerning the prevention and treatment of injuries to the head which may occur during a pupil’s participation in competitive sports within the school district, including, without limitation, a concussion of the brain. To the extent practicable, the policy must be consistent with the policy adopted by the Nevada Interscholastic Activities Association pursuant to NRS 385B.080. The policy must provide information concerning the nature and risk of injuries to the head which may occur during a pupil’s participation in competitive sports, including, without limitation, the risks associated with continuing to participate in competitive sports after sustaining such an injury.

2. The policy adopted pursuant to subsection 1 must require that if a pupil sustains or is suspected of sustaining an injury to the head while participating in competitive sports, the pupil:

(a) Must be immediately removed from the competitive sport; and

(b) May return to the competitive sport if the parent or legal guardian of the pupil provides a signed statement of a provider of health care indicating that the pupil is medically cleared for participation in the competitive sport and the date on which the pupil may return to the competitive sport.

3. Before a pupil participates in competitive sports within a school district, and on an annual basis thereafter, the pupil and his or her parent or legal guardian:

(a) Must be provided with a copy of the policy adopted pursuant to subsection 1; and

(b) Must sign a statement on a form prescribed by the board of trustees acknowledging that the pupil and his or her parent or guardian have read and understand the terms and conditions of the policy.

4. As used in this section, “provider of health care” means a physician *or physician assistant* licensed under chapter 630 or 633 of NRS, *an advanced practice registered nurse licensed under chapter 632 of NRS*, a physical

therapist licensed under chapter 640 of NRS or an athletic trainer licensed under chapter 640B of NRS.

Sec. 7. NRS 394.1999 is hereby amended to read as follows:

394.1999 1. The parent or legal guardian of a pupil who has asthma, anaphylaxis or diabetes may submit a written request to the principal or, if applicable, the school nurse of the private school in which the pupil is enrolled to allow the pupil to self-administer medication for the treatment of the pupil's asthma, anaphylaxis or diabetes while the pupil is on the grounds of the private school, participating in an activity sponsored by the private school or on a school bus.

2. A private school shall establish protocols for containing blood-borne pathogens and the handling and disposal of needles, medical devices and other medical waste and provide a copy of these protocols and procedures to the parent or guardian of a pupil who requests permission for the pupil to self-administer medication pursuant to subsection 1.

3. A written request made pursuant to subsection 1 must include:

(a) A signed statement of a physician, *physician assistant or advanced practice registered nurse* indicating that the pupil has asthma, anaphylaxis or diabetes and is capable of self-administration of the medication while the pupil is on the grounds of the private school, participating in an activity sponsored by the private school or on a school bus;

(b) A written treatment plan prepared by the physician, *physician assistant or advanced practice registered nurse* pursuant to which the pupil will manage his or her asthma, anaphylaxis or diabetes if the pupil experiences an asthmatic attack, anaphylactic shock or diabetic episode while on the grounds of the private school, participating in an activity sponsored by the private school or on a school bus; and

(c) A signed statement of the parent or legal guardian:

(1) Indicating that the parent or legal guardian grants permission for the pupil to self-administer the medication while the pupil is on the grounds of the private school, participating in an activity sponsored by the private school or on a school bus;

(2) Acknowledging that the parent or legal guardian is aware of and understands the provisions of subsections 4 and 5;

(3) Acknowledging the receipt of the protocols provided pursuant to subsection 2;

(4) Acknowledging that the protocols established pursuant to subsection 2 have been explained to the pupil who will self-administer the medication and that he or she has agreed to comply with the protocols; and

(5) Acknowledging that authorization to self-administer medication pursuant to this section may be revoked if the pupil fails to comply with the protocols established pursuant to subsection 2.

4. The provisions of this section do not create a duty for the private school in which the pupil is enrolled, or an employee or agent thereof, that is in

addition to those duties otherwise required in the course of service or employment.

5. If a pupil is granted authorization pursuant to this section to self-administer medication, the governing body of the private school in which the pupil is enrolled, the private school and any employee or agent thereof, are immune from liability for the injury to or death of:

(a) The pupil as a result of self-administration of a medication pursuant to this section or the failure of the pupil to self-administer such a medication; and

(b) Any other person as a result of exposure to or injury caused by needles, medical devices or other medical waste from the self-administration of medication by a pupil pursuant to this section.

6. Upon receipt of a request that complies with subsection 3, the principal or, if applicable, the school nurse of the private school in which the pupil is enrolled shall provide written authorization for the pupil to carry and self-administer medication to treat his or her asthma, anaphylaxis or diabetes while the pupil is on the grounds of the private school, participating in an activity sponsored by the private school or on a school bus. The written authorization must be filed with the principal or, if applicable, the school nurse of the private school in which the pupil is enrolled and must include:

(a) The name and purpose of the medication which the pupil is authorized to self-administer;

(b) The prescribed dosage and the duration of the prescription;

(c) The times or circumstances, or both, during which the medication is required or recommended for self-administration;

(d) The side effects that may occur from an administration of the medication;

(e) The name and telephone number of the pupil's physician , *physician assistant or advanced practice registered nurse* and the name and telephone number of the person to contact in the case of a medical emergency concerning the pupil; and

(f) The procedures for the handling and disposal of needles, medical devices and other medical waste.

7. The written authorization provided pursuant to subsection 6 is valid for 1 school year. If a parent or legal guardian submits a written request that complies with subsection 3, the principal or, if applicable, the school nurse of the private school in which the pupil is enrolled shall renew and, if necessary, revise the written authorization.

8. If a parent or legal guardian of a pupil who is authorized pursuant to this section to carry medication on his or her person provides to the principal or, if applicable, the school nurse of the private school in which the pupil is enrolled doses of the medication in addition to the dosage that the pupil carries on his or her person, the principal or, if applicable, the school nurse shall ensure that the additional medication is:

(a) Stored on the premises of the private school in a location that is secure; and

(b) Readily available if the pupil experiences an asthmatic attack, anaphylactic shock or diabetic episode during school hours.

9. An employee of a private school who willfully violates any provision of this section is guilty of a misdemeanor.

10. As used in this section:

(a) ***“Advanced practice registered nurse” has the meaning ascribed to it in NRS 392.425.***

(b) “Medication” has the meaning ascribed to it in NRS 392.425.

~~(b)~~ (c) “Physician” has the meaning ascribed to it in NRS 392.425.

~~(c)~~ (d) ***“Physician assistant” has the meaning ascribed to it in NRS 392.425.***

(e) “Self-administer” has the meaning ascribed to it in NRS 392.425.

Sec. 8. NRS 482.3833 is hereby amended to read as follows:

482.3833 “Person with a disability of moderate duration” means a person:

1. With a disability which limits or impairs the ability to walk; and
2. Whose disability has been certified by a licensed physician , ***physician assistant*** or advanced practice registered nurse as being reversible, but estimated to last longer than 6 months.

Sec. 9. NRS 482.3837 is hereby amended to read as follows:

482.3837 “Person with a permanent disability” means a person:

1. With a disability which limits or impairs the ability to walk; and
2. Whose disability has been certified by a licensed physician , ***physician assistant*** or advanced practice registered nurse as irreversible.

Sec. 10. NRS 482.3839 is hereby amended to read as follows:

482.3839 “Person with a temporary disability” means a person:

1. With a disability which limits or impairs the ability to walk; and
2. Whose disability has been certified by a licensed physician , ***physician assistant*** or advanced practice registered nurse as estimated to last not longer than 6 months.

Sec. 11. NRS 482.384 is hereby amended to read as follows:

482.384 1. Upon the application of a person with a permanent disability, the Department may issue special license plates for a vehicle, including a motorcycle or moped, registered by the applicant pursuant to this chapter. The application must include a statement from a licensed physician , ***physician assistant*** or advanced practice registered nurse certifying that the applicant is a person with a permanent disability. The issuance of a special license plate to a person with a permanent disability pursuant to this subsection does not preclude the issuance to such a person of a special parking placard for a vehicle other than a motorcycle or moped or a special parking sticker for a motorcycle or moped pursuant to subsection 6.

2. Every year after the initial issuance of special license plates to a person with a permanent disability, the Department shall require the person to renew the special license plates in accordance with the procedures for renewal of registration pursuant to this chapter. The Department shall not require a person with a permanent disability to include with the application for renewal a

statement from a licensed physician , *physician assistant* or advanced practice registered nurse certifying that the person is a person with a permanent disability.

3. Upon the application of an organization which provides transportation for a person with a permanent disability, disability of moderate duration or temporary disability, the Department may issue special license plates for a vehicle registered by the organization pursuant to this chapter, or the Department may issue special parking placards to the organization pursuant to this section to be used on vehicles providing transportation to such persons. The application must include a statement from the organization certifying that:

(a) The vehicle for which the special license plates are issued is used primarily to transport persons with permanent disabilities, disabilities of moderate duration or temporary disabilities; or

(b) The organization which is issued the special parking placards will only use such placards on vehicles that actually transport persons with permanent disabilities, disabilities of moderate duration or temporary disabilities.

4. The Department may charge a fee for special license plates issued pursuant to this section not to exceed the fee charged for the issuance of license plates for the same class of vehicle.

5. Special license plates issued pursuant to this section must display the international symbol of access in a color which contrasts with the background and is the same size as the numerals and letters on the plate.

6. Upon the application of a person with a permanent disability or disability of moderate duration, the Department may issue:

(a) A special parking placard for a vehicle other than a motorcycle or moped. Upon request, the Department may issue one additional placard to an applicant to whom special license plates have not been issued pursuant to this section.

(b) A special parking sticker for a motorcycle or moped.

↪ The application must include a statement from a licensed physician , *physician assistant* or advanced practice registered nurse certifying that the applicant is a person with a permanent disability or disability of moderate duration.

7. A special parking placard issued pursuant to subsection 6 must:

(a) Have inscribed on it the international symbol of access which is at least 3 inches in height, is centered on the placard and is white on a blue background;

(b) Have an identification number and date of expiration of:

(1) If the special parking placard is issued to a person with a permanent disability, 10 years after the initial date of issuance; or

(2) If the special parking placard is issued to a person with a disability of moderate duration, 2 years after the initial date of issuance;

(c) Have placed or inscribed on it the seal or other identification of the Department; and

(d) Have a form of attachment which enables a person using the placard to display the placard from the rearview mirror of the vehicle.

8. A special parking sticker issued pursuant to subsection 6 must:

(a) Have inscribed on it the international symbol of access which complies with any applicable federal standards, is centered on the sticker and is white on a blue background;

(b) Have an identification number and a date of expiration of:

(1) If the special parking sticker is issued to a person with a permanent disability, 10 years after the initial date of issuance; or

(2) If the special parking sticker is issued to a person with a disability of moderate duration, 2 years after the initial date of issuance; and

(c) Have placed or inscribed on it the seal or other identification of the Department.

9. Before the date of expiration of a special parking placard or special parking sticker issued to a person with a permanent disability or disability of moderate duration, the person shall renew the special parking placard or special parking sticker. If the applicant for renewal is a person with a disability of moderate duration, the applicant must include with the application for renewal a statement from a licensed physician, *physician assistant* or advanced practice registered nurse certifying that the applicant is a person with a disability which limits or impairs the ability to walk, and that such disability, although not irreversible, is estimated to last longer than 6 months. A person with a permanent disability is not required to submit evidence of a continuing disability with the application for renewal.

10. The Department, or a city or county, may issue, and charge a reasonable fee for, a temporary parking placard for a vehicle other than a motorcycle or moped or a temporary parking sticker for a motorcycle or moped upon the application of a person with a temporary disability. Upon request, the Department, city or county may issue one additional temporary parking placard to an applicant. The application must include a certificate from a licensed physician, *physician assistant* or advanced practice registered nurse indicating:

(a) That the applicant has a temporary disability; and

(b) The estimated period of the disability.

11. A temporary parking placard issued pursuant to subsection 10 must:

(a) Have inscribed on it the international symbol of access which is at least 3 inches in height, is centered on the placard and is white on a red background;

(b) Have an identification number and a date of expiration; and

(c) Have a form of attachment which enables a person using the placard to display the placard from the rearview mirror of the vehicle.

12. A temporary parking sticker issued pursuant to subsection 10 must:

(a) Have inscribed on it the international symbol of access which is at least 3 inches in height, is centered on the sticker and is white on a red background; and

(b) Have an identification number and a date of expiration.

13. A temporary parking placard or temporary parking sticker is valid only for the period for which a physician, *physician assistant* or advanced practice registered nurse has certified the disability, but in no case longer than 6 months. If the temporary disability continues after the period for which the physician, *physician assistant* or advanced practice registered nurse has certified the disability, the person with the temporary disability must renew the temporary parking placard or temporary parking sticker before the temporary parking placard or temporary parking sticker expires. The person with the temporary disability shall include with the application for renewal a statement from a licensed physician, *physician assistant* or advanced practice registered nurse certifying that the applicant continues to be a person with a temporary disability and the estimated period of the disability.

14. A special or temporary parking placard must be displayed in the vehicle when the vehicle is parked by hanging or attaching the placard to the rearview mirror of the vehicle. If the vehicle has no rearview mirror, the placard must be placed on the dashboard of the vehicle in such a manner that the placard can easily be seen from outside the vehicle when the vehicle is parked.

15. Upon issuing a special license plate pursuant to subsection 1, a special or temporary parking placard, or a special or temporary parking sticker, the Department, or the city or county, if applicable, shall issue a letter to the applicant that sets forth the name and address of the person with a permanent disability, disability of moderate duration or temporary disability to whom the special license plate, special or temporary parking placard or special or temporary parking sticker has been issued and:

(a) If the person receives special license plates, the license plate number designated for the plates; and

(b) If the person receives a special or temporary parking placard or a special or temporary parking sticker, the identification number and date of expiration indicated on the placard or sticker.

➔ The letter, or a legible copy thereof, must be kept with the vehicle for which the special license plate has been issued or in which the person to whom the special or temporary parking placard or special or temporary parking sticker has been issued is driving or is a passenger.

16. A special or temporary parking sticker must be affixed to the windscreen of the motorcycle or moped. If the motorcycle or moped has no windscreen, the sticker must be affixed to any other part of the motorcycle or moped which may be easily seen when the motorcycle or moped is parked.

17. Special or temporary parking placards, special or temporary parking stickers, or special license plates issued pursuant to this section do not authorize parking in any area on a highway where parking is prohibited by law.

18. No person, other than the person certified as being a person with a permanent disability, disability of moderate duration or temporary disability, or a person actually transporting such a person, may use the special license plate or plates or a special or temporary parking placard, or a special or

temporary parking sticker issued pursuant to this section to obtain any special parking privileges available pursuant to this section.

19. Any person who violates the provisions of subsection 18 is guilty of a misdemeanor.

20. The Department may review the eligibility of each holder of a special parking placard, a special parking sticker or special license plates, or any combination thereof. Upon a determination of ineligibility by the Department, the holder shall surrender the special parking placard, special parking sticker or special license plates, or any combination thereof, to the Department.

21. The Department may adopt such regulations as are necessary to carry out the provisions of this section.

Sec. 12. NRS 630.271 is hereby amended to read as follows:

630.271 1. A physician assistant may perform such medical services as the physician assistant is authorized to perform by his or her supervising physician. ***Such services may include ordering home health care for a patient.***

2. The Board and supervising physician shall limit the authority of a physician assistant to prescribe controlled substances to those schedules of controlled substances that the supervising physician is authorized to prescribe pursuant to state and federal law.

Sec. 13. NRS 632.237 is hereby amended to read as follows:

632.237 1. The Board may issue a license to practice as an advanced practice registered nurse to a registered nurse:

(a) Who is licensed by endorsement pursuant to NRS 632.161 or 632.162 and holds a corresponding valid and unrestricted license to practice as an advanced practice registered nurse in the District of Columbia or any other state or territory of the United States; or

(b) Who:

(1) Has completed an educational program designed to prepare a registered nurse to:

(I) Perform designated acts of medical diagnosis;

(II) Prescribe therapeutic or corrective measures; and

(III) Prescribe controlled substances, poisons, dangerous drugs and devices;

(2) Except as otherwise provided in subsection 7, submits proof that he or she is certified as an advanced practice registered nurse by the American Board of Nursing Specialties, the National Commission for Certifying Agencies of the Institute for Credentialing Excellence, or their successor organizations, or any other nationally recognized certification agency approved by the Board; and

(3) Meets any other requirements established by the Board for such licensure.

2. An advanced practice registered nurse may:

(a) Engage in selected medical diagnosis and treatment;

(b) ***Order home health care for a patient;***

(c) If authorized pursuant to NRS 639.2351 and subject to the limitations set forth in subsection 3, prescribe controlled substances, poisons, dangerous drugs and devices; and

~~†(e)†~~ (d) Provide his or her signature, certification, stamp, verification or endorsement when a signature, certification, stamp, verification or endorsement by a physician is required, if providing such a signature, certification, stamp, verification or endorsement is within the authorized scope of practice of an advanced practice registered nurse.

↪ An advanced practice registered nurse shall not engage in any diagnosis, treatment or other conduct which the advanced practice registered nurse is not qualified to perform.

3. An advanced practice registered nurse who is authorized to prescribe controlled substances, poisons, dangerous drugs and devices pursuant to NRS 639.2351 shall not prescribe a controlled substance listed in schedule II unless:

(a) The advanced practice registered nurse has at least 2 years or 2,000 hours of clinical experience; or

(b) The controlled substance is prescribed pursuant to a protocol approved by a collaborating physician.

4. An advanced practice registered nurse may perform the acts described in paragraphs (a), ~~†and†~~ (b) **and** (c) of subsection 2 by using equipment that transfers information concerning the medical condition of a patient in this State electronically, telephonically or by fiber optics, including, without limitation, through telehealth, as defined in NRS 629.515, from within or outside this State or the United States.

5. Nothing in paragraph ~~†(e)†~~ (d) of subsection 2 shall be deemed to expand the scope of practice of an advanced practice registered nurse who provides his or her signature, certification, stamp, verification or endorsement in the place of a physician.

6. The Board shall adopt regulations:

(a) Specifying any additional training, education and experience necessary for licensure as an advanced practice registered nurse.

(b) Delineating the authorized scope of practice of an advanced practice registered nurse, including, without limitation, when an advanced practice registered nurse is qualified to provide his or her signature, certification, stamp, verification or endorsement in the place of a physician.

(c) Establishing the procedure for application for licensure as an advanced practice registered nurse.

7. The provisions of subparagraph (2) of paragraph (b) of subsection 1 do not apply to an advanced practice registered nurse who obtains a license before July 1, 2014.

Sec. 14. NRS 633.432 is hereby amended to read as follows:

633.432 1. A physician assistant may perform such medical services as

~~†~~

~~†(a) The†~~ **the** physician assistant is authorized to perform by his or her supervising osteopathic physician ~~†;†~~ and

~~{(b) Are}~~ *are* within the supervising osteopathic physician's scope of practice. ***Such services may include ordering home health care for a patient.***

2. The Board and supervising osteopathic physician shall limit the authority of a physician assistant to prescribe controlled substances to those schedules of controlled substances that the supervising osteopathic physician is authorized to prescribe pursuant to state and federal law.

Sec. 15. NRS 637B.242 is hereby amended to read as follows:

637B.242 1. A hearing aid specialist or dispensing audiologist licensed pursuant to this chapter may sell hearing aids by catalog, mail or the Internet if:

(a) The hearing aid specialist or dispensing audiologist has received:

(1) A written statement signed by:

(I) A physician *or physician assistant* licensed pursuant to chapter 630 or 633 of NRS, an advanced practice registered nurse licensed pursuant to NRS 632.237, an audiologist or a hearing aid specialist which verifies that he or she has performed an otoscopic examination of the person to whom the hearing aid will be sold and the results of the examination indicate that the person may benefit from the use of a hearing aid;

(II) A physician *or physician assistant* licensed pursuant to chapter 630 or 633 of NRS, an audiologist or a hearing aid specialist which verifies that he or she has performed an audiometric examination of the person to whom the hearing aid will be sold and the results of the examination indicate that the person may benefit from the use of a hearing aid; and

(III) A dispensing audiologist or a hearing aid specialist which verifies that an ear impression has been taken of the person to whom the hearing aid will be sold; or

(2) A waiver of the medical evaluation signed by the person to whom the hearing aid will be sold as authorized pursuant to 21 C.F.R. § 801.421(a)(2); and

(b) The person to whom the hearing aid will be sold has signed a statement acknowledging that the hearing aid specialist or dispensing audiologist is selling him or her the hearing aid by catalog, mail or the Internet based upon the information submitted by the person in accordance with this section.

2. A hearing aid specialist or dispensing audiologist who sells hearing aids by catalog, mail or the Internet pursuant to this section shall maintain a record of each sale of a hearing aid made pursuant to this section for not less than 5 years.

3. The Board may adopt regulations to carry out the provisions of this section, including, without limitation, the information that must be included in each record required to be maintained pursuant to subsection 2.

Sec. 16. NRS 706.8842 is hereby amended to read as follows:

706.8842 1. Before applying to a certificate holder for employment as a driver, a person must obtain a medical examiner's certificate with two copies thereof from a medical examiner who is licensed to practice in the State of Nevada.

2. A medical examiner shall issue the certificate and copies described in subsection 1 if the medical examiner finds that a prospective driver meets the health requirements established by the Federal Motor Carrier Safety Regulations, 49 C.F.R. §§ 391.41 et seq.

3. The certificate described in subsection 1 must state that the medical examiner has examined the prospective driver and has found that the prospective driver meets the health requirements described in subsection 2. The certificate must be signed and dated by the medical examiner.

4. The medical examiner's certificate required by this section expires 2 years after the date of issuance and may be renewed.

5. As used in this section, "medical examiner" means a physician, as defined in NRS 0.040, *a physician assistant licensed pursuant to chapter 630 or 633 of NRS*, an advanced practice registered nurse licensed pursuant to NRS 632.237 or a chiropractic physician licensed pursuant to chapter 634 of NRS.

Sec. 17. On or before January 1, 2020, a state or local governmental entity in this State:

1. Shall revise any form issued by the entity as necessary to conform to any amendatory provision of this act that newly authorizes a physician assistant or advanced practice registered nurse to perform a task; and

2. Submit any such updated form to the Director of the Legislative Counsel Bureau for transmittal to the Legislature.

Sec. 18. This act becomes effective on July 1, 2019.

Assemblywoman Spiegel moved that the Assembly concur in the Senate Amendment No. 647 to Assembly Bill No. 147.

Remarks by Assemblywoman Spiegel.

ASSEMBLYWOMAN SPIEGEL:

This amendment adds Senator Woodhouse as a sponsor.

Motion carried by a constitutional majority.

Bill ordered to enrollment.

Assembly Bill No. 11.

The following Senate amendment was read:

Amendment No. 651.

AN ACT relating to veterans; replacing the phrases "military and naval forces" and "military and naval service" with the phrase "Armed Forces"; revising provisions governing claims prepared, submitted and presented by the Director of the Department of Veterans Services for benefits for veterans, servicemen and servicewomen; removing the requirement that the Director pay a portion of the operating costs of the office of coordinator of services for veterans of a county; requiring the Director to provide training and certification to coordinators of services for veterans who perform duties as a veterans service officer; requiring such coordinators to obtain and maintain such training and certification; requiring the Director to establish, operate and maintain veterans' cemeteries in this State; providing expressly that the

Director is required to establish, manage, maintain and operate veterans' homes in this State; requiring the Director to serve as the primary public advocate for Nevada veterans; **requiring the Director to ensure that volunteers serving as advocates for veterans are assigned to a veterans service officer employed by the Department; requiring the Director to provide certain training to veterans service officers;** and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing law, certain provisions apply to certain persons: (1) presently serving in the military and naval forces of the United States; or (2) possessing an honorable discharge from a branch of the military and naval service of the United States. (NRS 417.030, 417.090, 417.150, 419.020) **Sections 4, 5, 9 and 12** of this bill replace "military and naval forces" with "Armed Forces" and replace "military and naval service" with "Armed Forces."

Existing law requires the Director **of the Department of Veterans Services** to assist veterans and servicemen and servicewomen in preparing, submitting and presenting certain claims against the United States or any state. (NRS 417.090) **Section 5** revises this requirement to cover any claim for any benefit. **Section 6** of this bill makes a conforming change.

Existing law authorizes the board of county commissioners of any county to create the office of coordinator of services for veterans and requires the coordinator of services for veterans to perform certain duties. (NRS 244.401) Existing law further requires the Director of the Department of Veterans Services to pay to each county that creates an office of coordinator of services for veterans a portion of the operating costs of the office. (NRS 417.090) **Section 5** of this bill removes the requirement that the Director pay each county a portion of the operating costs of the office of coordinator of services for veterans. **Section 14** of this bill makes a conforming change relating to this removal. **Section 5** of this bill requires the Director to provide to a coordinator of services for veterans training and certification as a veterans service officer if the coordinator of services for veterans performs duties as a veterans service officer, including assisting veterans with filing claims for benefits with the United States Department of Veterans Affairs. **Section 13** of this bill requires such a coordinator of services for veterans to obtain such training and certification. **Section 1** of this bill defines the term "veterans service officer," with **sections 2 and 3** of this bill making conforming changes.

Existing law requires the Director to establish, operate and maintain a veterans' cemetery in northern Nevada and a veterans' cemetery in southern Nevada. Existing law further authorizes the Director to employ personnel and purchase equipment and supplies necessary for the operation and maintenance of such cemeteries. (NRS 417.200) **Section 5:** (1) relocates and expands this requirement to include establishing, operating and maintaining veterans' cemeteries in Nevada; and (2) authorizes the Director to employ personnel and purchase equipment and supplies necessary for the operation and maintenance of such cemeteries. **Sections 10 and 11** of this bill make conforming changes.

Existing law requires the Director to spend money deposited in the Veterans Home Account for the establishment, management, maintenance and operation of veterans' homes, and certain other purposes. (NRS 417.145) Existing law further requires the Director to take such other actions as are necessary for the management, maintenance and operation of veterans' homes. (NRS 417.147) **Section 5:** (1) expressly provides that the Director's duties include establishing, managing, maintaining and operating veterans' homes; and (2) authorizes the Director to employ personnel and purchase equipment and supplies necessary for the operation and maintenance of veterans' homes. **Sections 7 and 8** of this bill make conforming changes.

Section 5 additionally requires the Director to **: (1) serve as the primary public advocate for Nevada veterans ~~and~~ ; (2) ensure that each volunteer serving as an advocate for veterans in a program sponsored by the Department is assigned to a veterans service officer employed by the Department that will offer assistance to the volunteer; and (3) provide semiannual training to each veterans service officer employed by the Department regarding the benefits, services, programs and assistance available to veterans.**

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

Section 1. Chapter 417 of NRS is hereby amended by adding thereto a new section to read as follows:

“Veterans service officer” means a person who is certified by the Director and accredited or otherwise officially recognized by the United States Department of Veterans Affairs to assist veterans with filing claims for benefits and related matters.

Sec. 2. NRS 417.009 is hereby amended to read as follows:

417.009 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 417.010 to 417.014, inclusive, **and section 1 of this act** have the meanings ascribed to them in those sections.

Sec. 3. NRS 417.0194 is hereby amended to read as follows:

417.0194 1. Each state agency and regulatory body identified in subsections 2 to 16, inclusive, shall report, subject to any limitations or restrictions contained in any state or federal law governing the privacy or confidentiality of records, the data identified in subsections 2 to 17, inclusive, as applicable, to the Interagency Council on Veterans Affairs. Each state agency and regulatory body shall submit such information for the immediately preceding fiscal year to the Council not later than November 30 of each year and shall provide the information in aggregate and in digital form, and in a manner such that the data is capable of integration by the Council.

2. The Department of Veterans Services shall provide annual statistics regarding:

(a) The distribution of expenditures in this State by the United States Department of Veterans Affairs;

- (b) The number of veterans who receive care or other services at a veterans' home operated by the State;
- (c) The number of interments and other services provided by the veterans' cemeteries in this State;
- (d) The total number of veterans service officers who are located in this State, by zip code;
- (e) The number of claims filed on behalf of veterans and the family members of veterans by veterans service officers in this State;
- (f) The amount of annual payments in the form of disability compensation and pension benefits made to veterans and the family members of veterans in this State as a result of claims filed by veterans service officers;
- (g) The number of persons who participate as advocates for veterans in this State in a volunteer program sponsored by the Department of Veterans Services, by zip code;
- (h) The number of employers in this State who participate in a program sponsored by the Department of Veterans Services that facilitates the employment of veterans; and
- (i) The number of events held in this State to provide outreach to veterans regarding benefits, claims and services, segregated by the geographical location of each event.

3. The Department of Administration shall provide:

- (a) Descriptions of and the total amount of the grant dollars received for veteran-specific programs;
- (b) The total combined number of veterans and, to the extent the information is available, widows and widowers of persons killed in the line of duty while on active duty in the Armed Forces of the United States, who are employed by each agency in the State; and
- (c) The total number of veterans with service-connected disabilities who are seeking preferences through the Purchasing Division and the State Public Works Division of the Department of Administration pursuant to NRS 333.3366 and 338.13844.

4. The State Department of Conservation and Natural Resources shall provide the total number of veterans receiving:

- (a) Expedited certification for the grade I certification examination for wastewater treatment plant operators based on their military experience; and
- (b) Any discounted fees for access to or the use of state parks.

5. The Department of Corrections shall provide:

- (a) An annual overview of the monthly population of inmates in this State who are veterans; and
- (b) The success rates for any efforts developed by the Incarcerated Veterans Reintegration Council.

6. The Office of Economic Development shall provide an overview of the workforce that is available statewide of veterans, organized by O*NET-SOC code from the United States Department of Labor or the trade, job title,

employment status, zip code, county, highest education level and driver's license class.

7. The Department of Education shall provide the distribution of dependents of service members enrolled in Nevada's public schools.

8. The Department of Employment, Training and Rehabilitation shall provide a summary of:

(a) The average number of veterans served by a veteran employment specialist of the Department per week;

(b) The average number of initial and continuing claims for benefits filed per week by veterans pursuant to NRS 612.455 to 612.530, inclusive;

(c) The average weekly benefit received by veterans receiving benefits pursuant to chapter 612 of NRS; and

(d) The average duration of a claim by claimants who are veterans receiving benefits pursuant to chapter 612 of NRS.

9. The Department of Health and Human Services shall provide:

(a) The total number of veterans who have applied for and received certification as an Emergency Medical Technician-B, Advanced Emergency Medical Technician and Paramedic through the State Emergency Medical Systems program; and

(b) A report from the State Registrar of Vital Statistics setting forth the suicide mortality rate of veterans in this State.

10. The Department of Motor Vehicles shall provide:

(a) The total number of veterans who have declared themselves as a veteran and who applied for and received a commercial driver's license;

(b) The average monthly total of veteran license plates issued; and

(c) An overview of the data on veterans collected pursuant to NRS 483.292, 483.852 and 483.927.

11. The Adjutant General shall provide the total number of:

(a) Members of the Nevada National Guard using waivers for each semester and identifying which schools accepted the waivers;

(b) Members of the Nevada National Guard identified by Military Occupational Specialty and zip code; and

(c) Members of the Nevada National Guard employed under a grant from Beyond the Yellow Ribbon.

12. The Department of Public Safety shall provide the percentage of veterans in each graduating class of its academy for training peace officers.

13. The Department of Taxation shall provide the total number of veterans receiving tax exemptions pursuant to NRS 361.090, 361.091, 361.155, 371.103 and 371.104.

14. The Department of Wildlife shall provide the total number of:

(a) Veterans holding hunting or fishing licenses based on disability; and

(b) Service members holding hunting or fishing licenses who are residents of this State but are stationed outside this State.

15. The Commission on Postsecondary Education shall provide, by industry, the total number of schools in this State approved by the United States Department of Veterans Affairs that are serving veterans.

16. Each regulatory body shall provide the total number of veterans and service members who have:

- (a) Applied for a license from the regulatory body.
- (b) Been issued a license by the regulatory body.
- (c) Renewed a license with the regulatory body.

17. Each state agency and regulatory body identified in subsections 2 to 16, inclusive, shall ensure that the form used to collect data from a veteran, including, without limitation, a digital form posted on an Internet website, includes the following questions:

(a) “Have you ever served on active duty in the Armed Forces of the United States and separated from such service under conditions other than dishonorable?”

(b) “Have you ever been assigned to duty for a minimum of 6 continuous years in the National Guard or a reserve component of the Armed Forces of the United States and separated from such service under conditions other than dishonorable?”

(c) “Have you ever served the Commissioned Corps of the United States Public Health Service or the Commissioned Corps of the National Oceanic and Atmospheric Administration of the United States in the capacity of a commissioned officer while on active duty in defense of the United States and separated from such service under conditions other than dishonorable?”

18. The Council shall, upon receiving the information submitted pursuant to this section and NRS 612.237, synthesize and compile the information, including any recommendations of the Council, and submit the information with the report submitted pursuant to subsection 8 of NRS 417.0195.

19. As used in this section:

- (a) “License” has the meaning ascribed to it in NRS 622.030.
- (b) “Regulatory body” has the meaning ascribed to it in NRS 622.060.
- (c) “Service member” has the meaning ascribed to it in NRS 125C.0635.

~~[(d) “Veterans service officer” means a person who is accredited or otherwise officially recognized by the United States Department of Veterans Affairs to assist veterans with filing claims for benefits and related matters.]~~

Sec. 4. NRS 417.030 is hereby amended to read as follows:

417.030 1. The office of Director of the Department of Veterans Services is hereby created.

2. The Director must be appointed by and serves at the pleasure of the Governor.

3. The Director shall appoint such deputy directors as are necessary to assist the Director in performing the duties prescribed in this chapter, including, without limitation, a Deputy Director for Programs and Services and a Deputy Director for Health and Wellness.

4. Any person to be eligible for appointment as the Director or the Deputy Director for Programs and Services must:

- (a) Be an actual and bona fide resident of the State of Nevada;
- (b) Possess an honorable discharge from some branch of the ~~military and naval service~~ **Armed Forces** of the United States; and
- (c) Have at least 4 years of experience in management or administration.

5. Except as otherwise provided in this subsection, any person to be eligible for appointment as the Deputy Director for Health and Wellness must:

- (a) Be an actual and bona fide resident of the State of Nevada;
- (b) Possess an honorable discharge from some branch of the ~~military and naval service~~ **Armed Forces** of the United States; and
- (c) Have at least 4 years of experience in health care management or administration.

↪ If no person is available for appointment who possesses all the qualifications required by this subsection, the Director may waive the qualification set forth in paragraph (b) for a person who is otherwise qualified for appointment pursuant to paragraphs (a) and (c).

Sec. 5. NRS 417.090 is hereby amended to read as follows:

417.090 1. The Director shall:

(a) Assist veterans, and those presently serving in the ~~military and naval forces~~ **Armed Forces** of the United States who are residents of the State of Nevada, their spouses, **domestic partners**, widows, widowers, children, dependents, administrators, executors and personal representatives, in preparing, submitting and presenting any claim against the United States, or any state, for adjusted compensation, ~~hospitalization,~~ insurance, pension, disability compensation, vocational training, education, ~~or~~ rehabilitation **or any other benefit to which they may be entitled under the laws of the United States or of any of the states**, and assist them in obtaining any aid or benefit to which they may ~~from time to time,~~ be entitled under the laws of the United States or of any of the states.

(b) Aid, assist, encourage and cooperate with every service organization recognized nationally or in this State insofar as the activities of such organizations are for the benefit of veterans, servicemen and servicewomen ~~and~~ **and the spouses, domestic partners, widows, widowers, children, dependents, administrators, executors or personal representatives of such veterans, servicemen and servicewomen.**

(c) Give aid, assistance and counsel to each and every problem, question and situation, individual as well as collective, affecting any veteran, serviceman or servicewoman, or their dependents, or any group of veterans, servicemen and servicewomen, when in their opinion such comes within the scope of this chapter.

(d) Coordinate activities of veterans' organizations.

(e) Serve as a clearinghouse and disseminate information relating to veterans' benefits.

(f) Conduct any studies which will assist veterans to obtain compensation, ~~hospitalization,~~ insurance, pension, disability compensation, vocational training, education, rehabilitation or any other benefit to which veterans may be entitled under the laws of the United States or of any state.

(g) Aid, assist and cooperate with the office of coordinator of services for veterans created in a county pursuant to NRS 244.401.

~~(h) Pay to each county that creates the office of coordinator of services for veterans, from state money available to him or her, a portion of the cost of operating the office in an amount determined by the Director.~~

~~(i)~~ Take possession of any abandoned or unclaimed artifacts or other property that has military or historical value for safekeeping. The Director may:

(1) Transfer such an artifact or other property to:

(I) The Nevada State Museum or the Nevada Historical Society, upon its written request, if the artifact or other property has, in the opinion of the requesting institution, historical value and is worthy of preservation; or

(II) Any other governmental agency or nonprofit entity, including, without limitation, a veterans' organization and the United States Department of Veterans Affairs, upon its written request, if the artifact or other property was not requested by the Nevada State Museum or the Nevada Historical Society; or

(2) Destroy or otherwise dispose of the artifact or other property.

↪ An action may not be maintained by any person against the holder or former holder of an artifact or other property because of the transfer, destruction or other disposal of the artifact or other property pursuant to this paragraph.

~~(j)~~ (i) Develop plans and programs to assist veterans who have suffered sexual trauma while on active duty or during military training.

~~(k)~~ (j) Create and maintain a statewide database of information relating to veterans to assist the Department in identifying and communicating with veterans and connecting veterans with benefits and opportunities for which they are eligible.

~~(l)~~ (k) Create and maintain a registry of governmental agencies and private entities that provide services and resources to veterans, service members and their families and publish a digital copy of the registry on the Internet website maintained by the Department.

~~(m)~~ (l) Ensure that each generation of veterans is recognized annually through a ceremony, information campaign or other form of public acknowledgment.

(m) Establish, operate and maintain veterans' cemeteries in this State, and may, within the limits of legislative authorization, employ personnel and purchase equipment and supplies necessary for the operation and maintenance of the cemeteries.

(n) Establish, manage, maintain and operate veterans' homes in this State, and may, within the limits of legislative authorization, employ

personnel and purchase equipment and supplies necessary for the operation and maintenance of veterans' homes.

(o) If the board of county commissioners of any county makes the request required pursuant to subsection 2 of NRS 244.401, provide to the coordinator of services for veterans in the county training and certification as a veterans service officer.

(p) If training and certification is requested pursuant to paragraph (o), submit an application, on behalf of the coordinator of services for veterans to the United States Department of Veterans Affairs for accreditation or official recognition as a veterans service officer.

(q) Serve as the primary public advocate for Nevada veterans.

(r) Ensure that each person who participates as an advocate for veterans in this State in a volunteer program sponsored by the Department is assigned to a veterans service officer employed by the Department that will offer assistance to the volunteer.

(s) Provide semiannual training to each veterans service officer employed by the Department regarding the benefits, services, programs and assistance available to veterans.

2. The Director shall:

(a) Establish an internal policy for guidance to employees of the Department regarding the transfer, destruction or other disposal of artifacts and other property pursuant to paragraph ~~[(i)]~~ **(h)** of subsection 1; and

(b) Post the policy on the Internet website maintained by the Department.

Sec. 6. NRS 417.100 is hereby amended to read as follows:

417.100 The Director and each deputy director may:

1. Administer oaths to any person whose acknowledgment may become necessary in the prosecution of any claim for compensation, ~~hospitalization,~~ insurance or other aid or benefits.

2. Certify to the correctness of any document or documents which may be submitted in connection with any such application.

Sec. 7. NRS 417.145 is hereby amended to read as follows:

417.145 1. The Veterans Home Account is hereby established in the State General Fund.

2. Money received from:

(a) Payments made by the United States Department of Veterans Affairs for veterans who receive care in a veterans' home;

(b) Other payments for medical care and services;

(c) Appropriations made by the Legislature for veterans' homes;

(d) Federal grants and other money received pursuant to paragraph (c) of subsection 1 of NRS 417.147;

(e) Money collected pursuant to the schedule of rates established pursuant to subsection 2 of NRS 417.147 for occupancy of rooms at veterans' homes; and

(f) Except as otherwise provided in subsections 7 and 8, gifts of money and proceeds derived from the sale of gifts of personal property for the use of veterans' homes, if the use of those gifts has not been restricted by the donor, must be deposited with the State Treasurer for credit to the Veterans Home Account.

3. Interest and income must not be computed on the money in the Veterans Home Account.

4. The Veterans Home Account must be administered by the Director, with the advice of the administrators, and except as otherwise provided in paragraph (c) of subsection 1 of NRS 417.147, the money deposited in the Veterans Home Account may only be expended for:

(a) The establishment, management, maintenance and operation of veterans' homes ~~as~~ **as required by paragraph (n) of subsection 1 of NRS 417.090;**

(b) A program or service related to a veterans' home;

(c) The solicitation of other sources of money to fund a veterans' home; and

(d) The purpose of informing the public about issues concerning the establishment and uses of a veterans' home.

5. Except as otherwise provided in subsections 7 and 8, gifts of personal property for the use of veterans' homes:

(a) May be sold or exchanged if the sale or exchange is approved by the State Board of Examiners; or

(b) May be used in kind if the gifts are not appropriate for conversion to money.

6. All money in the Veterans Home Account must be paid out on claims approved by the Director as other claims against the State are paid.

7. The Gift Account for the Veterans Home in Southern Nevada is hereby established in the State General Fund. Gifts of money or personal property which the donor has restricted to one or more uses at the veterans' home in southern Nevada must be used only in the manner designated by the donor. Gifts of money which the donor has restricted to one or more uses at this veterans' home must be deposited with the State Treasurer for credit to the Gift Account for the Veterans Home in Southern Nevada. The interest and income earned on the money in the Gift Account for the Veterans Home in Southern Nevada, after deducting any applicable charges, must be credited to the Gift Account for the Veterans Home in Southern Nevada. Any money remaining in the Gift Account for the Veterans Home in Southern Nevada at the end of each fiscal year does not lapse to the State General Fund, but must be carried forward into the next fiscal year.

8. The Gift Account for the Veterans Home in Northern Nevada is hereby established in the State General Fund. Gifts of money or personal property which the donor has restricted to one or more uses at the veterans' home in northern Nevada must be used only in the manner designated by the donor. Gifts of money which the donor has restricted to one or more uses at this veterans' home must be deposited with the State Treasurer for credit to the Gift

Account for the Veterans Home in Northern Nevada. The interest and income earned on the money in the Gift Account for the Veterans Home in Northern Nevada, after deducting any applicable charges, must be credited to the Gift Account for the Veterans Home in Northern Nevada. Any money remaining in the Gift Account for the Veterans Home in Northern Nevada at the end of each fiscal year does not lapse to the State General Fund, but must be carried forward into the next fiscal year.

9. The Director shall, on or before August 1 of each year, prepare and submit to the Interim Finance Committee a report detailing the expenditures made from the Gift Account for the Veterans Home in Southern Nevada and the Gift Account for the Veterans Home in Northern Nevada.

Sec. 8. NRS 417.147 is hereby amended to read as follows:

417.147 1. ~~The~~ ***Subject to the limits provided in paragraph (n) of subsection 1 of NRS 417.090, the*** Director shall:

(a) Appoint an administrator for each veterans' home in this State. Each administrator must be licensed as a nursing facility administrator or health services executive pursuant to NRS 654.170 ; ~~†~~

(b) Take such other actions as are necessary for the ***establishment***, management, maintenance and operation of veterans' homes in this State, including, without limitation, establishing and implementing rules, policies and procedures for such management, maintenance and operation ~~†~~ ; ***and***

(c) Apply for federal grants and other sources of money available for establishing veterans' homes. A federal grant must be used only as permitted by the terms of the grant.

2. With the advice of the Nevada Veterans Services Commission, the Director shall, on or before April 1 of each calendar year, recommend to the State Board of Examiners a schedule of rates to be charged for occupancy of rooms at each veterans' home in this State during the following fiscal year. The State Board of Examiners shall establish the schedule of rates. In setting the rates, the State Board of Examiners shall consider the recommendations of the Director, but is not bound to follow the recommendations of the Director.

3. The first veterans' home that is established in this State must be established at a location in southern Nevada determined to be appropriate by the Interim Finance Committee. The Interim Finance Committee shall give preference to a site that is zoned appropriately for the establishment of a veterans' home, that affords minimum costs of maintenance and that is located in an area where the members of the families of the veterans can easily visit the veterans' home. The site for the construction of the veterans' home in southern Nevada must be:

(a) Located in reasonable proximity to:

(1) A public transportation system;

(2) Shopping centers; and

(3) A major hospital that has a center for the treatment of trauma which is designated as a level II center by the Administrator of the Division of Public and Behavioral Health of the Department of Health and Human Services.

(b) Not less than 5 acres in area.

4. If an additional veterans' home is authorized, it must be established in northern Nevada.

Sec. 9. NRS 417.150 is hereby amended to read as follows:

417.150 1. The Nevada Veterans Services Commission, consisting of 11 members, is hereby created.

2. The Governor shall appoint:

(a) Three members who are representatives of veterans' organizations recognized nationally or in this State and who possess honorable discharges from some branch of the ~~military and naval service~~ *Armed Forces* of the United States.

(b) One member who is a member of the Women Veterans Advisory Committee created by NRS 417.320.

(c) One member who is enrolled as a student at an institution of higher education in this State in a program for a baccalaureate or higher degree and who possesses an honorable discharge from some branch of the ~~military and naval service~~ *Armed Forces* of the United States.

(d) Two members who are representatives of the general public.

3. The Chair of the Advisory Committee for a Veterans Cemetery in Northern Nevada and the Chair of the Advisory Committee for a Veterans Cemetery in Southern Nevada shall each appoint one member from their respective committees to serve as a member of the Commission. Each member so appointed must be a representative of a veterans' organization recognized nationally or in this State and possess an honorable discharge from some branch of the ~~military and naval service~~ *Armed Forces* of the United States.

4. The Majority Leader of the Senate shall appoint one member of the Senate to serve as a member of the Commission.

5. The Speaker of the Assembly shall appoint one member of the Assembly to serve as a member of the Commission.

6. The Governor may remove a member of the Commission at any time for failure to perform his or her duties, malfeasance or other good cause.

7. The term of office of each member is 2 years.

8. If a vacancy occurs in the membership of those members appointed pursuant to paragraph (a) of subsection 2, the Governor shall fill the vacancy from among the names of qualified nominees provided to the Governor in writing by the Director.

Sec. 10. NRS 417.200 is hereby amended to read as follows:

417.200 1. ~~{The Director shall establish, operate and maintain a veterans' cemetery in northern Nevada and a veterans' cemetery in southern Nevada, and may, within the limits of legislative authorization, employ personnel and purchase equipment and supplies necessary for the operation and maintenance of the cemeteries. The}~~ *Subject to the limits provided in paragraph (m) of subsection 1 of NRS 417.090, the* Director shall employ a cemetery superintendent to operate and maintain each cemetery.

2. The cemetery superintendent shall, if a veteran does not indicate by testamentary instrument that the veteran desires to have the area immediately above and surrounding the interred remains of the veteran landscaped with xeriscaping, or if an application for interment submitted pursuant to NRS 417.210 does not indicate that the veteran desires to have the area immediately above and surrounding the interred remains of the veteran landscaped with xeriscaping, ensure that the area immediately above and surrounding the interred remains of the veteran in the veterans' cemetery is landscaped with natural grass.

3. A person desiring to provide voluntary services to further the establishment, maintenance or operation of either of the cemeteries shall submit a written offer to the cemetery superintendent which describes the nature of the services. The cemetery superintendent shall consider all such offers and approve those he or she deems appropriate. The cemetery superintendent shall coordinate the provision of all services so approved.

Sec. 11. NRS 417.220 is hereby amended to read as follows:

417.220 1. The Account for Veterans Affairs is hereby created in the State General Fund.

2. Money received by the Director from:

(a) Fees charged pursuant to NRS 417.210;

(b) Allowances for burial from the United States Department of Veterans Affairs or other money provided by the Federal Government for the support of veterans' cemeteries;

(c) Receipts from the sale of gifts and general merchandise;

(d) Grants obtained by the Director for the support of veterans' cemeteries; and

(e) Except as otherwise provided in subsection 6 and NRS 417.115, 417.145, 417.147 and 417.410, gifts of money and proceeds derived from the sale of gifts of personal property that he or she is authorized to accept, if the use of such gifts has not been restricted by the donor,

➔ must be deposited with the State Treasurer for credit to the Account for Veterans Affairs and must be accounted for separately for a veterans' cemetery in northern Nevada or a veterans' cemetery in southern Nevada, whichever is appropriate.

3. The interest and income earned on the money deposited pursuant to subsection 2, after deducting any applicable charges, must be accounted for separately. Interest and income must not be computed on money appropriated from the State General Fund to the Account for Veterans Affairs.

4. The money deposited pursuant to subsection 2 may only be used for the operation and maintenance of the cemetery for which the money was collected. In addition to personnel he or she is authorized to employ pursuant to **paragraph (m) of subsection 1 of NRS 417.090 and subsection 1 of NRS 417.200**, the Director may use money deposited pursuant to subsection 2 to employ such additional employees as are necessary for the operation and maintenance of the cemeteries, except that the number of such additional full-

time employees that the Director may employ at each cemetery must not exceed 60 percent of the number of full-time employees for national veterans' cemeteries that is established by the National Cemetery Administration of the United States Department of Veterans Affairs.

5. Except as otherwise provided in subsection 7, gifts of personal property which the Director is authorized to receive but which are not appropriate for conversion to money may be used in kind.

6. The Gift Account for Veterans Cemeteries is hereby created in the State General Fund. Gifts of money that the Director is authorized to accept and which the donor has restricted to one or more uses at a veterans' cemetery must be accounted for separately in the Gift Account for Veterans Cemeteries. The interest and income earned on the money deposited pursuant to this subsection must, after deducting any applicable charges, be accounted for separately for a veterans' cemetery in northern Nevada or a veterans' cemetery in southern Nevada, as applicable. Any money remaining in the Gift Account for Veterans Cemeteries at the end of each fiscal year does not revert to the State General Fund, but must be carried over into the next fiscal year.

7. The Director shall use gifts of money or personal property that he or she is authorized to accept and for which the donor has restricted to one or more uses at a veterans' cemetery in the manner designated by the donor, except that if the original purpose of the gift has been fulfilled or the original purpose cannot be fulfilled for good cause, any money or personal property remaining in the gift may be used for other purposes at the veterans' cemetery in northern Nevada or the veterans' cemetery in southern Nevada, as appropriate.

Sec. 12. NRS 419.020 is hereby amended to read as follows:

419.020 1. The county recorders of the counties of this State shall procure books containing suitable blanks in which to record certificates of honorable discharge from the ~~military and naval service~~ **Armed Forces** of the United States.

2. The county recorders shall record therein all such certificates as may be presented to them for record, free of any charge therefor, and shall make the customary certificate of such record thereon.

Sec. 13. NRS 244.401 is hereby amended to read as follows:

244.401 1. The board of county commissioners of any county may create by ordinance the office of coordinator of services for veterans. If such an office is created, the board shall appoint a qualified veteran to hold the office and the board shall establish the coordinator's compensation.

2. *If the coordinator of services for veterans performs duties as a veterans service officer, including, without limitation, assisting veterans with filing claims for benefits with the United States Department of Veterans Affairs, the board of county commissioners of the county must request the Director of the Department of Veterans Services to provide the coordinator of services for veterans training and certification as a veterans service officer pursuant to paragraph (o) of subsection 1 of NRS 417.090.*

3. The coordinator of services for veterans shall:

(a) Assist a veteran or the veteran's spouse or dependent, if the person requesting assistance is a resident of the county, in preparing, submitting and pursuing any claim that the person has against the United States, or any state, to establish the person's right to any privilege, preference, care or compensation to which he or she believes that he or she is entitled;

(b) If the coordinator of services for veterans performs duties as a veterans service officer, including, without limitation, assisting veterans with filing claims for benefits with the United States Department of Veterans Affairs, and the board of county commissioners of the county has made the request pursuant to subsection 2, become certified as a veterans service officer by the Director of the Department of Veterans Services pursuant to paragraph (a) of subsection 1 of NRS 417.090;

(c) If a certification is received pursuant to paragraph (b), maintain the certification with the Director of the Department of Veterans Services and accreditation or official recognition with the United States Department of Veterans Affairs as a veterans service officer;

(d) Aid, assist and cooperate with the Director of the Department of Veterans Services and with the Nevada Veterans Services Commission;

~~{(e)}~~ (e) Disseminate information relating to veterans' benefits in cooperation with the Director of the Department of Veterans Services; and

~~{(d)}~~ (f) Perform such other services related to assisting a veteran, or the veteran's spouse or dependent, as requested by the board of county commissioners.

~~{3-}~~ 4. Two or more counties jointly may create one office of coordinator of services for veterans to serve those counties.

5. As used in this section, "veterans service officer" has the meaning ascribed to it in section 1 of this act.

Sec. 14. NRS 244.406 is hereby amended to read as follows:

244.406 1. Except as otherwise provided in this section, the office of coordinator of services for veterans must be supported from money in the county general fund and from any gifts or grants received by the county for the support of the office.

2. ~~{The board of county commissioners of a county that creates the office of coordinator of services for veterans is authorized to accept funds from the Director of the Department of Veterans Services pursuant to paragraph (h) of subsection 1 of NRS 417.090 for the support of the office.~~

~~—3-}~~ The board of county commissioners of a county that creates the office of coordinator of services for veterans may enter into an agreement with the Division of Public and Behavioral Health of the Department of Health and Human Services for the purpose of obtaining federal matching funds to contribute to the salaries and expenses of the office of coordinator of services for veterans for its activities which are reasonably related to the programs of the Division of Public and Behavioral Health and which benefit or result in cost avoidance for the Division.

Sec. 15. The provisions of NRS 354.599 do not apply to any additional expenses of a local government that are related to the provisions of this act.

Sec. 16. This act becomes effective on July 1, 2019.

Assemblyman Flores moved that the Assembly concur in the Senate Amendment No. 651 to Assembly Bill No. 11.

Remarks by Assemblyman Flores.

ASSEMBLYMAN FLORES:

The amendment codifies certain existing practices of the Department of Veterans Services by requiring the Director to provide certain training to veterans' service officers and ensure that volunteers serving as advocates for veterans are assigned to veterans service officers.

Motion carried by a constitutional majority.

Bill ordered to enrollment.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Assefa, the privilege of the floor of the Assembly Chamber for this day was extended to Daniel Villanueva and Laura Hermann.

On request of Assemblywoman Benitez-Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to the following students, teachers, and chaperones from Sun Valley Elementary School: Paola Aguilar Ochoa, Alexander Alvarez Victorio, Biririana Amado Flores, Anthony Arroyo Ramirez, James Buckley, Desiree C. De Vaca, Melanee Mariel Castellanos Ojeda, Bryan Chavarin Medina, Daniella Estrada Munoz, Sergio Garcia, Aaliyah Guardado, Tayler Hill, Kadence Hinckley Porter, Jocelyn Hinojosa Gomez, Camila Hurtado Martinez, Delio Marfil Arias, Maya Martinez Alcasio, Cesar Martinez Guerrero, Alexis Medina Aguilar, Brianna Merino Alvarado, Chase Miller, Killian Misner, Alan Murguia Aguilar, Raul Navidad Delgado, Zulema Perez Negrete, Genesis Ramos Cardona, Jose Rivas Martinez, Jackson Taylor, Valton Tiner, Damien Walker, Antonio Aguilar Andrade, Brian Bernabe-Verdin, Maria Del Los Angeles Bravo Cuevas, Alexi Caro Garcia, Aidan Cruz, Anthony De La Cruz, Gerardo Del Carmen Perez, Milagros Duarte, Jose Franco Gallegos, Kemen Garcia, Mayte Garcia Gonzalez, Gerardo Gonzalez, Joy Harnes, Maribel Haro Diaz, Jazmine Jaime Alvarado, Phoenix Keller, Daisy Macias-Torres, Alondra Partida Fregoso, Yanet Perez Becerra, Alexander Rivas Bautista, Cameron Robbins, Leonora Rodarte Perez, Jasmin Rodriguez Castaneda, Alex Rodriguez Gutierrez, Sofia Silva, Rylee Spear, David Villarreal, Romero Villarreal, Athen Weisshaar, Aaron Zatarain Saucedo, Anahi Barajas Oaxaca, Giovanni Chavez, Abril Cobarruvias, Jeremy Cook, Isaac Correa De La Cruz, Alexis Cruz, Korina Cuevas Cerda, Justin Drinkle, Justin Flores Santos, Jose Gonzalez-Camargo, Alexis Gutierrez Bustamante, Jordan Gutierrez-Enriquez, Adalyn Hernandez, Adalyn Hernandez, Veronica Hernandez Gonzalez, Jai'dyn Johnson, Victoria Lopez, Esteban Lopez Velasco, Adrian Martinez-Perez, Francisco Medina

Serafin, Ignacio Melendrez Manjarrez, Summer Mestas, Kadence Minchey, Eilene Oaxaca Garcia, Esmeralda Ojeda, Lila Orpiada, Isabel Reyes, Martin Ruiz Murillo, Angel Ruiz Rodriguez, Sherlyn Villalobos Mejia, Nataly Alvarez Zuno, Tristen Azenon Masaniai, Keyla Cardona Mancilla, Cristian Chavez Cardenas, Kimberly Dickerman, Bryan Espinosa Vasquez, Alexia Estrada Sanchez, Jaime Galvez, Zuleika Gil Veloz, Kimberly Gonzalez, Nery Gonzalez, Adrian Hernandez-Vargas, Ricardo Jimenez-Nunez, Ariaona Lawry, Clarissa Lopez, Angel Lopez Maya, Olivia Marsh, Tiffany Miranda, Marco Munoz-Ballesteros, Carlos Nepomuceno Cardona, Jamie Oseguera Chavez, Ahtziry Plascencia Correa, Vincel Quintanilla Ramirez, Joseph Ramirez-Guevara, Arielle Rodarte Castaneda, Nayeli Sanchez-Carrillo, Genesis Raquel Segura Alvarado, Magdalena Sotelo Garcia and Nina Villarreal Venegas.

On request of Assemblyman Flores, the privilege of the floor of the Assembly Chamber for this day was extended to Lindsay Mattice and Maria Gallegos.

On request of Assemblyman Hafen, the privilege of the floor of the Assembly Chamber for this day was extended to Zuzana Kukol and Scott Shoemaker.

On request of Assemblywoman Peters, the privilege of the floor of the Assembly Chamber for this day was extended to Christian Martinez Garcia, Josias Mendoza, Amyah Boyd, Taylee Branson, Mckenna Cardenas, Mynor Carias, Orlando Crespo, Devon Davis, Jerod Dore, Alyjah Dotson, Yasmin Gallegos, Maria Gallegos, Malina Hamabata-Davis, Mckenna Hertz, Justin Hultenschmidt, Maria Maldonado Perez, Christian Martinez Garcia, Lindsay Mattice, Josias Mendoza, Joe Page, Nanako Renfroe, Brianna Sanchez-Montes De Oca, Denton Thom, and Jaydan Vasquez.

On request of Assemblywoman Swank, the privilege of the floor of the Assembly Chamber for this day was extended to Levi Kamolnick.

Assemblywoman Benitez-Thompson moved that the Assembly adjourn until Wednesday, May 8, 2019, at 11:30 a.m.

Motion carried.

Assembly adjourned at 1:02 p.m.

Approved:

JASON FRIERSON
Speaker of the Assembly

Attest: SUSAN FURLONG
Chief Clerk of the Assembly