

Amendment No. 683

Senate Amendment to Senate Bill No. 69 First Reprint	(BDR 39-431)
Proposed by: Senate Committee on Finance	
Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

Adoption of this amendment will: (1) MAINTAIN the 2/3s majority vote requirement for final passage of S.B. 69 R1 (§§ 9, 12, 13). (2) MAINTAIN the unfunded mandate not requested by the affected local government to S.B. 69 R1 (§ 20).

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

EWR/BJF



Date: 5/19/2021

S.B. No. 69—Revises provisions relating to behavioral health. (BDR 39-431)



SENATE BILL NO. 69—COMMITTEE ON
HEALTH AND HUMAN SERVICES

(ON BEHALF OF THE WASHOE REGIONAL
BEHAVIORAL HEALTH POLICY BOARD)

PREFILED NOVEMBER 18, 2020

Referred to Committee on Health and Human Services

SUMMARY—Revises provisions relating to behavioral health. (BDR 39-431)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§ 20)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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

AN ACT relating to behavioral health; requiring peer recovery support specialists and peer recovery support specialist supervisors who provide peer recovery support services under certain conditions to be certified; authorizing the imposition of civil penalties for certain violations; prohibiting the employment or retention as an independent contractor of a person ~~for the purpose of providing or supervising~~ **to provide or supervise** the provision of peer recovery support services ~~to~~ **in a position where the person has regular and substantial contact with** minors if the person has been ~~convicted of certain crimes or~~ found to have engaged in certain conduct; requiring a certified peer recovery support specialist or certified peer recovery support specialist supervisor to report certain information; requiring the Department of Education to publish a list of evidence-based curricula and programs concerning the prevention of substance misuse and substance use disorder; requiring the participation of public schools in a biennial survey to collect data concerning youth risk behavior of pupils enrolled in certain grades in a public school; abolishing requirements for the licensure of peer support recovery organizations; providing for the certification of substance use disorder prevention coalitions and prescribing the duties of such a coalition; requiring certain reporting concerning curricula and programs on substance misuse and substance use disorders in public schools; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law: (1) defines the term "peer support recovery organization" to mean a person or agency which, for compensation, provides peer support services to persons who are 18 years of age or older and who suffer from mental illness or an addictive disorder or identify themselves as at risk for mental illness or an addictive disorder; and (2) requires a peer support recovery organization to be licensed by the Division of Public and Behavioral Health of the Department of Health and Human Services as a facility for the dependent. (NRS 449.0045, 449.01563, 449.030) **Sections 20.3, 22.5-24.8, 25.2-25.7 and 36** of this bill remove existing provisions for the licensing and regulation of peer support recovery organizations. **Sections 2-15.7** instead prescribe certain requirements governing natural persons who provide peer recovery support services. **Section 5** of this bill defines the term "peer recovery support services" to mean nonclinical supportive services that use lived experience in recovery from a substance use disorder or other behavioral health disorder to promote recovery in another person with a substance use disorder or other behavioral health disorder by advocating, mentoring, educating, offering hope and providing assistance in navigating systems. **Sections 2.5-4, 6 and 7** of this bill define certain additional relevant terms. **Section 8** of this bill: (1) requires, in general, ~~fa person~~ **an adult** to be certified by the Nevada Certification Board, or its successor organization, as a peer recovery support specialist or peer recovery support specialist supervisor before providing or supervising the provision of, as applicable, peer recovery support services ~~to adults~~ for compensation as a regular part of his or her job duties; (2) provides for the imposition of a civil penalty against ~~fa person~~ **an adult** who violates that requirement; and (3) authorizes ~~fa person~~ **an adult** who is not certified to provide peer recovery support services to adults for compensation as an intern under certain circumstances. **Section 15** of this bill authorizes the Division to bring an action to enjoin any ~~person~~ **adult** from providing or supervising the provision of peer recovery support services in violation of **section 8**.

Sections 9-14 and 31.5 of this bill provide for the certification and regulation of peer recovery support specialists and peer recovery support specialist supervisors by the Division if the Nevada Certification Board or its successor organization ceases to certify such persons. Specifically, **section 31.5** replaces the required certification by the Nevada Certification Board or its successor organization with a requirement **for an adult who provides or supervises the provision of peer recovery support services for compensation as a regular part of his or her job duties** to obtain certification from the Division under those circumstances. If the Division issues such certification because the Nevada Certification Board ceases to do so, **section 9** of this bill: (1) requires the State Board of Health to adopt regulations governing peer recovery support services; and (2) authorizes the Board to establish by regulation exemptions from the requirement to be certified by the Division.

Existing federal law requires each state to adopt procedures to ensure that applicants for certain licenses and certificates comply with child support obligations. (42 U.S.C. § 666) **Sections 10 and 11** of this bill enact such procedures as applicable to an applicant to the Division for a certificate as a peer recovery support specialist or peer recovery support specialist supervisor in order to comply with federal law.

If the Division certifies peer recovery support specialists pursuant to **sections 9 and 31.5, sections 12 and 13** of this bill provide for the issuance of a certificate as a peer recovery support specialist or peer recovery support specialist supervisor by endorsement to certain applicants who are licensed, certified or hold another credential as a peer recovery support specialist or peer recovery support specialist supervisor, as applicable, issued by another jurisdiction.

Section 14 of this bill: (1) requires an applicant to the Division for renewal of a certificate who has a state business license to provide his or her business identification number in the application; and (2) prohibits the renewal of a certificate if the applicant fails to provide such information or is delinquent on a debt to a state agency.

~~Sections 15.2 and 15.4~~ **Section 15.6** of this bill ~~require any~~ **requires an employer, a person or an entity** who ~~is employed or retained as an independent contractor~~ **employs a person** for the purpose of providing or supervising the provision of peer recovery support services ~~to a minor~~ **in a position where the person has regular and substantial contact with minors or retains an independent contractor to provide those services in such a position** to undergo a ~~background check~~ **screening** to determine whether the person has, within the immediately preceding 5 years, been ~~f-(1) convicted of certain crimes involving~~

59 ~~children; (2)~~ the subject of a substantiated report of : (1) the abuse or neglect of a child; or
60 ~~[(3) found to have committed]~~ (2) a violation of provisions prohibiting **certain sexual**
61 **conduct regarding minors**, corporal punishment in public schools or the use of aversive
62 interventions against pupils with disabilities in private schools. ~~[Section 15.4 of this bill also~~
63 ~~requires such an employee or independent contractor to notify the person or entity for which~~
64 ~~he or she provides peer recovery support services of certain charges, investigations and~~
65 ~~convictions involving such crimes or conduct.]~~ **Section 15.6** ~~[of this bill generally:]~~ **in**
66 **general:** (1) prohibits the employment of a person or retention of a person as an independent
67 contractor for the purpose of providing peer recovery support services ~~[to a minor]~~ **in a**
68 **position where the person has regular and substantial contact with minors** if the person
69 has been ~~[convicted of such a crime or been]~~ found to have engaged in such conduct within
70 the immediately preceding 5 years; and (2) requires the termination of an employee or
71 independent contractor who provides peer recovery support services ~~[to a minor]~~ **in a position**
72 **where the person has regular and substantial contact with minors** and has been ~~[convicted~~
73 ~~of such a crime or is]~~ found to have engaged in such conduct within that period. **Section 15.6**
74 authorizes an employee or independent contractor who believes that the information provided
75 through a ~~[background check]~~ **screening** is incorrect to attempt to correct the information.
76 **Section 15.6** also authorizes the Division to adopt regulations establishing a process to
77 determine whether an employee or independent contractor who has been ~~[convicted of such a~~
78 ~~crime or]~~ found to have engaged in such conduct within the immediately preceding 5 years
79 may continue to provide peer recovery support services ~~[to a minor. Sections 15.4 and]~~ **and**
80 **have regular and substantial contact with minors. Section 15.6** ~~[provide]~~ **provides** for the
81 imposition of administrative penalties on persons and entities who violate ~~[the]~~ **those**
82 requirements. ~~[of these sections.]~~ **Section 15.7** of this bill requires a person or entity that
83 employs a person or retains an independent contractor to provide **or supervise the provision**
84 **of** peer recovery support services ~~[to a minor]~~ **in a position where the person has regular**
85 **and substantial contact with minors** to maintain certain records of the ~~[background checks]~~
86 **screenings** required by ~~[sections 15.2 and 15.4. Sections 15.8 and 20.6 of this bill make~~
87 ~~conforming changes to authorize the Central Repository for Nevada Records of Criminal~~
88 ~~History and the Statewide Central Registry for the Collection of Information Concerning the~~
89 ~~Abuse or Neglect of a Child, respectively, to conduct the required background checks.]~~
90 **section 15.6.**

91 **Sections 17, 21 and 28** of this bill require a certified peer recovery support specialist or
92 certified peer recovery support specialist supervisor to report: (1) the abuse, neglect,
93 exploitation, isolation or abandonment of an older person or vulnerable person; (2) the abuse
94 or neglect of a child; and (3) violations of statutes or regulations governing nursing. If the
95 Division certifies peer recovery support specialists and peer recovery support specialist
96 supervisors pursuant to **sections 9 and 31.5** and a peer recovery support specialist or peer
97 recovery support specialist supervisor is reported to have abused, neglected, exploited,
98 isolated or abandoned an older person or vulnerable person, **section 18** of this bill requires the
99 submission of the information in the report to the Division. **Section 25** of this bill makes a
100 conforming change to reflect the replacement of the requirement that peer support recovery
101 organizations must be licensed with a requirement that peer recovery support specialists and
102 peer recovery support specialist supervisors must be certified. **Sections 29-31** of this bill
103 exempt certified peer recovery support specialists and certified peer recovery support
104 specialist supervisors from provisions governing certain other professions related to
105 behavioral health.

106 Existing law requires the Council to Establish Academic Standards for Public Schools to
107 establish standards of content and performance for certain subjects, including health and
108 science. (NRS 389.520) Existing regulations establish standards of content and performance
109 for health in the sixth, seventh and eighth grades and high school that include instruction
110 related to substance use, misuse and abuse. (NAC 389.381, 389.455) **Section 18.5** of this bill
111 requires the Department of Education to develop, maintain and publish a list of evidence-
112 based curricula and programs concerning substance misuse and substance use disorders.
113 **Section 32** of this bill requires the board of trustees of each school district and the governing
114 body of each charter school to submit to the Legislative Committee on Education a report that
115 describes any curriculum or program concerning substance misuse or substance use disorders
116 used or offered in the school district or charter school, as applicable, during the 2020-2021
117 school year.

118 **Section 20** of this bill requires the board of trustees of each school district and the
 119 governing body of each charter school that operates a middle school, junior high school or
 120 high school to ensure that the school district or charter school participates in the biennial
 121 survey administered pursuant to the Youth Risk Behavior Surveillance System developed by
 122 the Centers for Disease Control and Prevention of the United States Department of Health and
 123 Human Services, which is a system pursuant to which a survey is administered every other
 124 year to a sampling of pupils in grades 6 to 12, inclusive, to collect data concerning health-risk
 125 behaviors by such pupils. **Section 20** also authorizes: (1) the parent or guardian of a pupil who
 126 is an unemancipated minor to refuse consent to the administration of the survey to the pupil;
 127 and (2) a pupil to refuse to participate in the survey.

128 Existing law requires the Division of Public and Behavioral Health of the Department of
 129 Health and Human Services to: (1) formulate and operate a comprehensive state plan for
 130 programs for alcohol or other substance use disorders; and (2) coordinate the efforts to carry
 131 out the state plan and coordinate all state and federal financial support of programs for alcohol
 132 or other substance use disorders in this State. (NRS 458.025) **Section 26** of this bill requires
 133 the State Board of Health to adopt regulations providing for the certification of substance use
 134 disorder prevention coalitions, which are coalitions of persons and entities who possess
 135 knowledge and experience related to the prevention of substance misuse and substance use
 136 disorders in regions of this State. **Section 26** also prescribes the duties of a certified substance
 137 use disorder prevention coalition, and **section 27** of this bill makes a conforming change to
 138 indicate the placement of **section 26** within the Nevada Revised Statutes.

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

1 **Section 1.** Chapter 433 of NRS is hereby amended by adding thereto the
 2 provisions set forth as sections 2 to 15.7, inclusive, of this act.

3 **Sec. 2.** *As used in sections 2 to 15.7, inclusive, of this act, unless the*
 4 *context otherwise requires, the words and terms defined in sections 2.5 to 7,*
 5 *inclusive, of this act have the meanings ascribed to them in those sections.*

6 **Sec. 2.5.** *“Adult” means a natural person who is 18 years of age or older.*

7 **Sec. 3.** *“Board” means the State Board of Health.*

8 **Sec. 4.** *“Certificate” means a certificate issued by the Division that*
 9 *authorizes the holder to provide or supervise the provision of peer recovery*
 10 *support services, as applicable.*

11 **Sec. 5.** *“Peer recovery support services” means nonclinical supportive*
 12 *services that use lived experience in recovery from a substance use disorder or*
 13 *other behavioral health disorder to promote recovery in another person with a*
 14 *substance use disorder or other behavioral health disorder by advocating,*
 15 *mentoring, educating, offering hope and providing assistance in navigating*
 16 *systems.*

17 **Sec. 6.** *“Peer recovery support specialist” means ~~[-a person]~~ an adult who is*
 18 *authorized under the provisions of section 8 of this act to provide peer recovery*
 19 *support services ~~[-to adults]~~ for compensation as a regular part of his or her job*
 20 *duties. The term does not include a peer recovery support specialist intern.*

21 **Sec. 6.5.** *“Peer recovery support specialist intern” means ~~[-a person]~~ an*
 22 *adult who is authorized under the provisions of section 8 of this act to provide*
 23 *peer recovery support services ~~[-to adults]~~ for compensation as a regular part of*
 24 *his or her job duties ~~[-]~~ while the adult is acquiring the experience necessary for*
 25 *certification as a peer recovery support specialist.*

26 **Sec. 7.** *“Peer recovery support specialist supervisor” means ~~[-a person]~~ an*
 27 *adult who is authorized under the provisions of section 8 of this act to supervise*

1 *the provision of peer recovery support services ~~to adults~~ for compensation as a*
2 *regular part of his or her job duties.*

3 **Sec. 8. 1. Except as authorized by subsection 2, ~~a person~~ an adult shall**
4 **not:**

5 (a) *Provide peer recovery support services ~~to adults~~ for compensation as a*
6 *regular part of his or her job duties or hold himself or herself out as authorized to*
7 *provide peer recovery support services ~~to adults~~ unless he or she holds a valid*
8 *certificate as a peer recovery support specialist issued by the Nevada Certification*
9 *Board or its successor organization.*

10 (b) *Supervise the provision of peer recovery support services ~~to adults~~ for*
11 *compensation as a regular part of his or her job duties or hold himself or herself*
12 *out as authorized to supervise the provision of peer recovery support services ~~to~~*
13 *~~adults~~ unless he or she holds a valid certificate as a peer recovery support*
14 *specialist supervisor issued by the Nevada Certification Board or its successor*
15 *organization.*

16 2. *If the Nevada Certification Board or its successor organization*
17 *establishes conditions governing the provision of peer recovery support services*
18 *by a person who is not certified as a peer recovery support specialist while the*
19 *person is acquiring the experience necessary for certification as a peer recovery*
20 *support specialist, ~~such a person~~ an adult who is not certified as a peer recovery*
21 *support specialist may:*

22 (a) *Provide peer recovery support services ~~to adults~~ for compensation as a*
23 *regular part of his or her job duties under those conditions; and*

24 (b) *Use the title of “peer recovery support specialist intern” while providing*
25 *peer recovery support services under those conditions.*

26 3. *The Division may impose upon ~~a person~~ an adult who violates this*
27 *section a civil penalty in an amount prescribed by regulation of the Board.*

28 **Sec. 9. 1. The Board shall adopt regulations governing the provision of**
29 **peer recovery support services. The regulations must prescribe:**

30 (a) *The requirements for the issuance and renewal of a certificate as a peer*
31 *recovery support specialist or peer recovery support specialist supervisor, which*
32 *must include, without limitation, required training and experience for peer*
33 *recovery support specialists and peer recovery support specialist supervisors.*

34 (b) *Requirements governing the supervision of peer recovery support*
35 *specialists by peer recovery support specialist supervisors.*

36 (c) *Procedures for the Division to investigate misconduct by a peer recovery*
37 *support specialist or peer recovery support specialist supervisor and to impose*
38 *disciplinary action for such misconduct.*

39 (d) *The forms of disciplinary action that the Division may impose against a*
40 *peer recovery support specialist or peer recovery support specialist supervisor.*

41 2. *The Board may, by regulation, prescribe a fee for:*

42 (a) *The issuance of a certificate; and*

43 (b) *The renewal of a certificate.*

44 3. *Any fee prescribed pursuant to subsection 2 must be calculated to*
45 *produce the revenue estimated to cover the costs related to the issuance and*
46 *renewal of certificates, but in no case may the fee for the issuance or renewal of a*
47 *certificate exceed the actual cost to the Division of issuing or renewing the*
48 *certificate, as applicable.*

49 4. *The regulations adopted pursuant to this section may establish*
50 *exemptions from the provisions of section 8 of this act.*

51 **Sec. 10. 1. A person who applies for the issuance or renewal of a**
52 **certificate must:**

1 (a) Include the social security number of the applicant in the application
2 submitted to the Division.

3 (b) Submit to the Division the statement prescribed by the Division of
4 Welfare and Supportive Services of the Department pursuant to NRS 425.520.
5 The statement must be completed and signed by the applicant.

6 2. The Division shall include the statement required pursuant to subsection
7 I in:

8 (a) The application or any other forms that must be submitted for the
9 issuance or renewal of the certificate; or

10 (b) A separate form prescribed by the Division.

11 3. A certificate may not be issued or renewed by the Division if the
12 applicant:

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

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

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

26 **Sec. 11.** 1. If the Division receives a copy of a court order issued pursuant
27 to NRS 425.540 that provides for the suspension of all professional, occupational
28 and recreational licenses, certificates and permits issued to a natural person who
29 is the holder of a certificate, the Division shall deem the certificate issued to that
30 person to be suspended at the end of the 30th day after the date the court order
31 was issued unless the Division receives a letter issued to the holder of the
32 certificate by the district attorney or other public agency pursuant to NRS
33 425.550 stating that the holder of the certificate has complied with the subpoena
34 or warrant or has satisfied the arrearage pursuant to NRS 425.560.

35 2. The Division shall reinstate a certificate that has been suspended by a
36 district court pursuant to NRS 425.540 if the Division receives a letter issued by
37 the district attorney or other public agency pursuant to NRS 425.550 to the
38 person whose certificate was suspended stating that the person whose certificate
39 was suspended has complied with the subpoena or warrant or has satisfied the
40 arrearage pursuant to NRS 425.560.

41 **Sec. 12.** 1. The Division may issue a certificate by endorsement as a peer
42 recovery support specialist or peer recovery support specialist supervisor to an
43 applicant who meets the requirements set forth in this section. An applicant may
44 submit to the Division an application for such a certificate if the applicant holds a
45 corresponding valid and unrestricted license, certificate or other credential as a
46 peer recovery support specialist or peer recovery support specialist supervisor, as
47 applicable, in the District of Columbia or any state or territory of the United
48 States.

49 2. An applicant for a certificate by endorsement pursuant to this section
50 must submit to the Division with his or her application:

51 (a) Proof satisfactory to the Division that the applicant:

52 (1) Satisfies the requirements of subsection 1;

1 (2) *Has not been disciplined or investigated by the corresponding*
2 *regulatory authority of the District of Columbia or any state or territory in which*
3 *the applicant currently holds or has held a license, certificate or other credential*
4 *as a peer recovery support specialist or peer recovery support specialist*
5 *supervisor, as applicable; and*

6 (3) *Has not been held civilly or criminally liable for malpractice in the*
7 *District of Columbia or any state or territory of the United States;*

8 (b) *An affidavit stating that the information contained in the application and*
9 *any accompanying material is true and correct;*

10 (c) *The fee prescribed by the Board in the regulations adopted pursuant to*
11 *section 9 of this act; and*

12 (d) *Any other information required by the Division.*

13 3. *Not later than 15 business days after the Division receives an application*
14 *for a certificate by endorsement as a peer recovery support specialist or peer*
15 *recovery support specialist supervisor pursuant to this section, the Division shall*
16 *provide written notice to the applicant of any additional information required by*
17 *the Division to consider the application. Unless the Division denies the*
18 *application for good cause, the Division shall approve the application and issue a*
19 *certificate by endorsement as a peer recovery support specialist or peer recovery*
20 *support specialist supervisor, as applicable, to the applicant not later than 45 days*
21 *after receiving the application.*

22 **Sec. 13. 1.** *The Division may issue a certificate by endorsement as a peer*
23 *recovery support specialist or peer recovery support specialist supervisor to an*
24 *applicant who meets the requirements set forth in this section. An applicant may*
25 *submit to the Division an application for such a certificate if the applicant:*

26 (a) *Holds a corresponding valid and unrestricted license, certificate or other*
27 *credential as a peer recovery support specialist or peer recovery support specialist*
28 *supervisor, as applicable, in the District of Columbia or any state or territory of*
29 *the United States; and*

30 (b) *Is an active member of, or the spouse of an active member of, the Armed*
31 *Forces of the United States, a veteran or the spouse, widow or widower of a*
32 *veteran.*

33 2. *An applicant for a certificate by endorsement pursuant to this section*
34 *must submit to the Division with his or her application:*

35 (a) *Proof satisfactory to the Division that the applicant:*

36 (1) *Satisfies the requirements of subsection 1;*

37 (2) *Has not been disciplined or investigated by the corresponding*
38 *regulatory authority of the District of Columbia or any state or territory in which*
39 *the applicant currently holds or has held a license, certificate or other credential*
40 *as a peer recovery support specialist or peer recovery support specialist*
41 *supervisor, as applicable; and*

42 (3) *Has not been held civilly or criminally liable for malpractice in the*
43 *District of Columbia or any state or territory of the United States;*

44 (b) *An affidavit stating that the information contained in the application and*
45 *any accompanying material is true and correct;*

46 (c) *The fee prescribed by the Board in the regulations adopted pursuant to*
47 *section 9 of this act; and*

48 (d) *Any other information required by the Division.*

49 3. *Not later than 15 business days after the Division receives an application*
50 *for a certificate by endorsement as a peer recovery support specialist or peer*
51 *recovery support specialist supervisor pursuant to this section, the Division shall*
52 *provide written notice to the applicant of any additional information required by*
53 *the Division to consider the application. Unless the Division denies the*

1 application for good cause, the Division shall approve the application and issue a
2 certificate by endorsement as a peer recovery support specialist or peer recovery
3 support specialist supervisor, as applicable, to the applicant not later than 45 days
4 after receiving all the additional information required by the Division to complete
5 the application.

6 4. At any time before making a final decision on an application for a
7 certificate by endorsement pursuant to this section, the Division may grant a
8 provisional certificate authorizing an applicant to practice as a peer recovery
9 support specialist or peer recovery support specialist supervisor, as applicable, in
10 accordance with regulations adopted by the Board.

11 5. As used in this section, "veteran" has the meaning ascribed to it in NRS
12 417.005.

13 **Sec. 14. 1.** In addition to any other requirements set forth in sections 2 to
14 15.7, inclusive, of this act, an applicant for the renewal of a certificate as a
15 recovery support specialist or recovery support specialist supervisor must indicate
16 in the application submitted to the Division whether the applicant has a state
17 business license. If the applicant has a state business license, the applicant must
18 include in the application the business identification number assigned by the
19 Secretary of State upon compliance with the provisions of chapter 76 of NRS.

20 2. A certificate may not be renewed if:

21 (a) The applicant fails to submit the information required by subsection 1; or

22 (b) The State Controller has informed the Division pursuant to subsection 5
23 of NRS 353C.1965 that the applicant owes a debt to an agency that has been
24 assigned to the State Controller for collection and the applicant has not:

25 (1) Satisfied the debt;

26 (2) Entered into an agreement for the payment of the debt pursuant to
27 NRS 353C.130; or

28 (3) Demonstrated that the debt is not valid.

29 3. As used in this section:

30 (a) "Agency" has the meaning ascribed to it in NRS 353C.020.

31 (b) "Debt" has the meaning ascribed to it in NRS 353C.040.

32 **Sec. 15. 1.** The Division may bring an action in the name of the State of
33 Nevada to enjoin any ~~person~~ **adult** from engaging in conduct that violates the
34 provisions of section 8 of this act.

35 2. It is sufficient in such an action to allege that the defendant did, on a
36 certain date and in a certain place, engage in conduct for which a certificate is
37 required by section 8 of this act without a valid certificate.

38 ~~**Sec. 15.2. 1.** The Division shall secure from appropriate law
39 enforcement agencies information on the background and personal history of
40 every person who is employed or retained as an independent contractor for the
41 purpose of providing or supervising the provision of peer recovery support
42 services to a minor to determine whether the person has, within the immediately
43 preceding 5 years, been:~~

44 ~~(a) Named in a substantiated report as causing the abuse or neglect of a
45 child, as defined in NRS 392.281;~~

46 ~~(b) Convicted of violating NRS 201.540 or 201.560 or a similar statute in
47 another jurisdiction; or~~

48 ~~(c) Found to have committed a violation of NRS 392.4633 or 394.366 or a
49 similar statute in another jurisdiction.~~

50 ~~2. The Division shall request information concerning each person who is
51 employed or retained as an independent contractor for the purpose of providing
52 or supervising the provision of peer recovery support services to a minor from:~~

~~1 (a) The Central Repository for Nevada Records of Criminal History for its
2 report concerning a conviction in this State of any of the crimes set forth in
3 paragraph (b) of subsection 1 and for submission to the Federal Bureau of
4 Investigation for its report pursuant to section 15.4 of this act; and~~

~~5 (b) The Statewide Central Registry for the Collection of Information
6 Concerning the Abuse or Neglect of a Child established pursuant to NRS 432.100
7 to determine whether:~~

~~8 (1) There has been a substantiated report of child abuse or neglect made
9 against any such person; or~~

~~10 (2) Any such person has been found to have committed a violation listed
11 in paragraph (c) of subsection 1.~~

~~12 3. The Division may charge each person investigated pursuant to this
13 section for the reasonable cost of that investigation.~~

~~14 4. The information required to be obtained pursuant to subsections 1 and 2
15 must be requested for an initial background check before the employee or
16 independent contractor provides or supervises the provision of peer recovery
17 support services to a minor, and then at least once every 5 years thereafter.~~

~~18 5. A person who is required to submit to an investigation required pursuant
19 to this section shall not provide or supervise the provision of peer recovery
20 support services to a minor without supervision before the investigation of the
21 background and personal history of the person has been conducted.] (Deleted by
22 amendment.)~~

~~23 Sec. 15.4. [1. Every person who is employed or retained as an
24 independent contractor for the purpose of providing or supervising the provision
25 of peer recovery support services to a minor shall submit to the Division, or to the
26 person or agency designated by the Division, to enable the Division to conduct an
27 investigation pursuant to section 15.2 of this act, a:~~

~~28 (a) Complete set of fingerprints and a written authorization for the Division
29 or its designee to forward the fingerprints to the Central Repository for Nevada
30 Records of Criminal History for its report and for submission to the Federal
31 Bureau of Investigation for its report; and~~

~~32 (b) Written authorization for the Division to obtain any information that may
33 be available from the Statewide Central Registry for the Collection of
34 Information Concerning the Abuse or Neglect of a Child established pursuant to
35 NRS 432.100.~~

~~36 2. If a person who is employed or retained as an independent contractor for
37 the purpose of providing or supervising the provision of peer recovery support
38 services to a minor has, within the immediately preceding 5 years, had a
39 substantiated report of child abuse or neglect filed against him or her, been
40 convicted of a crime listed in paragraph (b) of subsection 1 of section 15.2 of this
41 act or been found to have committed a violation listed in paragraph (c) of that
42 subsection, the Division must immediately notify the employer of the person or
43 the person or entity with whom the person has contracted, who shall then comply
44 with the provisions of section 15.6 of this act.~~

~~45 3. A person or entity shall notify the Division as soon as practicable but not
46 later than 24 hours after hiring an employee or retaining an independent
47 contractor for the purpose of providing or supervising the provision of peer
48 recovery support services to a minor.~~

~~49 4. A person who is employed or retained as an independent contractor for
50 the purpose of providing or supervising the provision of peer recovery support
51 services to a minor shall notify the employer or the person or entity who retained
52 the person as an independent contractor not later than 24 hours after:~~

~~1 (a) Being charged with or convicted of a crime listed in paragraph (b) of
2 subsection 1 of section 15.2 of this act or being investigated for or found to have
3 committed a violation listed in paragraph (c) of that subsection;~~

~~4 (b) Receiving notice that he or she is the subject of an investigation for child
5 abuse or neglect; or~~

~~6 (c) Receiving notice that a report of abuse or neglect has been substantiated
7 against him or her.~~

~~8 5. A person or entity shall notify the Division within 2 days after receiving
9 notice that an employee or independent contractor of the person or entity who
10 provides or supervises the provision of peer recovery support services to a minor;~~

~~11 (a) Has been charged with a crime listed in paragraph (b) of subsection 1 of
12 section 15.2 of this act; or~~

~~13 (b) Is being investigated for child abuse or neglect or a violation listed in
14 paragraph (c) of subsection 1 of section 15.2 of this act.~~

~~15 6. The Division shall adopt regulations to establish civil penalties to be
16 imposed against any person or entity that fails to comply with the requirements of
17 this section.] (Deleted by amendment.)~~

18 Sec. 15.6. 1. [Except as otherwise provided in this section,] Not later than
19 3 days after employing a person to provide or supervise the provision of peer
20 recovery support services in a position where the person has regular and
21 substantial contact with minors or retaining a person as an independent
22 contractor to provide or supervise the provision of peer recovery support services
23 in such a position and every 5 years thereafter, an employer, or person or entity
24 who retained the independent contractor shall:

25 (a) Obtain from the employee or independent contractor written
26 authorization for the release of any information that may be available from the
27 Statewide Central Registry for the Collection of Information Concerning the
28 Abuse or Neglect of a Child established pursuant to NRS 432.100; and

29 (b) Complete a child abuse and neglect screening through the Central
30 Registry to determine whether there has been a substantiated report of child
31 abuse or neglect or a violation of NRS 201.540, 201.560, 392.4633 or 394.366
32 made against the person.

33 2. Except as otherwise provided in any regulations adopted pursuant to
34 subsection 4, upon receiving information pursuant to [section 15.4 of this act
35 from the Central Repository for Nevada Records of Criminal History or]
36 subsection 1 from the [Statewide] Central Registry [for the Collection of
37 Information Concerning the Abuse or Neglect of a Child established pursuant to
38 NRS 432.100, from an employee or independent contractor who provides or
39 supervises the provision of peer recovery support services to a minor] or from any
40 other source that [such] an employee or independent contractor described in
41 subsection 1 has, within the immediately preceding 5 years, had a substantiated
42 report of child abuse or neglect or a violation of NRS 201.540, 201.560, 392.4633
43 or 394.366 made against him or her, [been convicted of a crime listed in
44 paragraph (b) of subsection 1 of section 15.2 of this act or been found to have
45 committed a violation listed in paragraph (c) of that subsection,] the employer or
46 person or entity who retained the independent contractor shall terminate the
47 employment or contract of the employee or independent contractor, as applicable,
48 after allowing the employee or independent contractor time to correct the
49 information as required pursuant to subsection [2-] 3.

50 [2-] 3. If an employee or independent contractor [who provides or
51 supervises the provision of peer recovery support services to a minor] described in
52 subsection 1 believes that the information provided to the employer or person or
53 entity who retained the independent contractor pursuant to subsection [1-] 2 is

incorrect, the employee or independent contractor must inform the employer, person or entity immediately. The employer, person or entity shall give any such employee or independent contractor 30 days to correct the information.

~~[3.]~~ 4. The Division, in consultation with each agency which provides child welfare services, may establish by regulation a process by which it may review evidence upon request to determine whether an employee or independent contractor described in subsection 1 who ~~[provides or supervises the provision of peer recovery support services to a minor and]~~ has, within the immediately preceding 5 years, had a substantiated report of child abuse or neglect or a violation of NRS 201.540, 201.560, 392.4633 or 394.366 made against him or her ~~[, been convicted of a crime listed in paragraph (b) of subsection 1 of section 15.2 of this act or been found to have committed a violation listed in paragraph (c) of that subsection]~~ may continue to provide or supervise the provision of peer recovery support services ~~[to a minor,]~~ and have regular and substantial contact with minors despite the ~~[conviction, finding or]~~ report. Any such review must be conducted in a manner which does not discriminate against a person in violation of 42 U.S.C. §§ 2000e et seq.

~~[4.]~~ 5. If a process for review is established pursuant to subsection ~~[3.]~~ 4, an employee or independent contractor ~~[who provides or supervises the provision of peer recovery support services to a minor]~~ described in subsection 1 may request such a review in the manner established by the Division. Any determination made by the Division is final for purposes of judicial review.

~~[5.]~~ 6. During any period in which an employee or independent contractor seeks to correct information pursuant to subsection ~~[2.]~~ 3 or requests a review of information pursuant to subsection ~~[4.]~~ 5, it is within the discretion of the employer or person or entity who retained the independent contractor whether to allow the employee or independent contractor to continue to work for the employer, person or entity, as applicable, except that the employee or independent contractor shall not ~~[provide or supervise the provision of peer recovery support services to a minor,]~~ have regular and substantial contact with minors without supervision during such a period.

~~[6.]~~ 7. The Division shall adopt regulations to establish civil penalties to be imposed against any person or entity that fails to comply with the requirements of this section.

~~[7.]~~ 8. As used in this section, “agency which provides child welfare services” has the meaning ascribed to it in NRS 424.011.

Sec. 15.7. 1. A person or entity that employs a person or retains an independent contractor for the purpose of providing or supervising the provision of peer recovery support services ~~[to a minor]~~ in a position where the person has regular and substantial contact with minors shall maintain records of the information concerning such employees and independent contractors that is collected pursuant to ~~[sections 15.2 and 15.4]~~ section 15.6 of this act, including, without limitation ~~[~~

~~(a) A copy of the fingerprints that were submitted to the Central Repository for Nevada Records of Criminal History;~~

~~(b) Proof that the employee or independent contractor submitted fingerprints to the Central Repository for Nevada Records of Criminal History; and~~

~~(c) The], the written authorization [to obtain] for the release of information from the [Central Repository and the] Statewide Central Registry for the Collection of Information Concerning the Abuse or Neglect of a Child established pursuant to NRS 432.100.~~

2. The records maintained pursuant to subsection 1 must be:

1 *(a) Maintained for the period that the employee or independent contractor*
 2 ~~*provides or supervises the provision of peer recovery support services to a*~~
 3 ~~*minor;*~~ *has regular and substantial contact with minors; and*

4 *(b) Made available for inspection by the Division at any reasonable time and*
 5 *copies thereof must be furnished to the Division upon request.*

6 **Sec. 15.8.** ~~NRS 179A.075 is hereby amended to read as follows:~~

7 ~~179A.075 1. The Central Repository for Nevada Records of Criminal~~
 8 ~~History is hereby created within the Records, Communications and Compliance~~
 9 ~~Division of the Department.~~

10 ~~2. Each agency of criminal justice and any other agency dealing with crime~~
 11 ~~shall:~~

12 ~~(a) Collect and maintain records, reports and compilations of statistical data~~
 13 ~~required by the Department; and~~

14 ~~(b) Submit the information collected to the Central Repository;~~

15 ~~(1) In the manner approved by the Director of the Department; and~~

16 ~~(2) In accordance with the policies, procedures and definitions of the~~
 17 ~~Uniform Crime Reporting Program of the Federal Bureau of Investigation;~~

18 ~~3. Each agency of criminal justice shall submit the information relating to~~
 19 ~~records of criminal history that it creates, issues or collects, and any information in~~
 20 ~~its possession relating to the DNA profile of a person from whom a biological~~
 21 ~~specimen is obtained pursuant to NRS 176.09123 or 176.0913, to the Division. The~~
 22 ~~information must be submitted to the Division:~~

23 ~~(a) Through an electronic network;~~

24 ~~(b) On a medium of magnetic storage; or~~

25 ~~(c) In the manner prescribed by the Director of the Department;~~

26 ~~within 60 days after the date of the disposition of the case. If an agency has~~
 27 ~~submitted a record regarding the arrest of a person who is later determined by the~~
 28 ~~agency not to be the person who committed the particular crime, the agency shall,~~
 29 ~~immediately upon making that determination, so notify the Division. The Division~~
 30 ~~shall delete all references in the Central Repository relating to that particular arrest.~~

31 ~~4. Each state and local law enforcement agency shall submit Uniform Crime~~
 32 ~~Reports to the Central Repository;~~

33 ~~(a) In the manner prescribed by the Director of the Department;~~

34 ~~(b) In accordance with the policies, procedures and definitions of the Uniform~~
 35 ~~Crime Reporting Program of the Federal Bureau of Investigation; and~~

36 ~~(c) Within the time prescribed by the Director of the Department.~~

37 ~~5. The Division shall, in the manner prescribed by the Director of the~~
 38 ~~Department:~~

39 ~~(a) Collect, maintain and arrange all information submitted to it relating to:~~

40 ~~(1) Records of criminal history; and~~

41 ~~(2) The DNA profile of a person from whom a biological specimen is~~
 42 ~~obtained pursuant to NRS 176.09123 or 176.0913.~~

43 ~~(b) When practicable, use a record of the personal identifying information of a~~
 44 ~~subject as the basis for any records maintained regarding him or her.~~

45 ~~(c) Upon request, provide, in paper or electronic form, the information that is~~
 46 ~~contained in the Central Repository to the Committee on Domestic Violence~~
 47 ~~appointed pursuant to NRS 228.470 when, pursuant to NRS 228.495, the~~
 48 ~~Committee is reviewing the death of the victim of a crime that constitutes domestic~~
 49 ~~violence pursuant to NRS 33.018.~~

50 ~~6. The Division may:~~

51 ~~(a) Disseminate any information which is contained in the Central Repository~~
 52 ~~to any other agency of criminal justice;~~

~~(b) Enter into cooperative agreements with repositories of the United States and other states to facilitate exchanges of information that may be disseminated pursuant to paragraph (a); and~~

~~(c) Request of and receive from the Federal Bureau of Investigation information on the background and personal history of any person whose record of fingerprints or other biometric identifier the Central Repository submits to the Federal Bureau of Investigation and:~~

~~(1) Who has applied to any agency of the State of Nevada or any political subdivision thereof for a license which it has the power to grant or deny;~~

~~(2) With whom any agency of the State of Nevada or any political subdivision thereof intends to enter into a relationship of employment or a contract for personal services;~~

~~(3) Who has applied to any agency of the State of Nevada or any political subdivision thereof to attend an academy for training peace officers approved by the Peace Officers' Standards and Training Commission;~~

~~(4) For whom such information is required or authorized to be obtained pursuant to NRS 62B.270, 62G.222, 62G.253, 424.031, 432A.170, 432B.198, 433B.183, 449.123 and 449.439 [;] and section 15.2 of this act; or~~

~~(5) About whom any agency of the State of Nevada or any political subdivision thereof is authorized by law to have accurate personal information for the protection of the agency or the persons within its jurisdiction.~~

~~7. To request and receive information from the Federal Bureau of Investigation concerning a person pursuant to subsection 6, the Central Repository must receive:~~

~~(a) The person's complete set of fingerprints for the purposes of:~~

~~(1) Booking the person into a city or county jail or detention facility;~~

~~(2) Employment;~~

~~(3) Contractual services; or~~

~~(4) Services related to occupational licensing;~~

~~(b) One or more of the person's fingerprints for the purposes of mobile identification by an agency of criminal justice; or~~

~~(c) Any other biometric identifier of the person as it may require for the purposes of:~~

~~(1) Arrest; or~~

~~(2) Criminal investigation;~~

~~from the agency of criminal justice or agency of the State of Nevada or any political subdivision thereof and submit the received data to the Federal Bureau of Investigation for its report.~~

~~8. The Central Repository shall:~~

~~(a) Collect and maintain records, reports and compilations of statistical data submitted by any agency pursuant to subsection 2.~~

~~(b) Tabulate and analyze all records, reports and compilations of statistical data received pursuant to this section.~~

~~(c) Disseminate to federal agencies engaged in the collection of statistical data relating to crime information which is contained in the Central Repository.~~

~~(d) Investigate the criminal history of any person who:~~

~~(1) Has applied to the Superintendent of Public Instruction for the issuance or renewal of a license;~~

~~(2) Has applied to a county school district, charter school or private school for employment or to serve as a volunteer; or~~

~~(3) Is employed by or volunteers for a county school district, charter school or private school;~~

1 ~~and immediately notify the superintendent of each county school district, the~~
2 ~~governing body of each charter school and the Superintendent of Public Instruction,~~
3 ~~or the administrator of each private school, as appropriate, if the investigation of the~~
4 ~~Central Repository indicates that the person has been convicted of a violation of~~
5 ~~NRS 200.508, 201.220, 453.3385 or 453.339, or convicted of a felony or any~~
6 ~~offense involving moral turpitude.~~

7 ~~(c) Upon discovery, immediately notify the superintendent of each county~~
8 ~~school district, the governing body of each charter school or the administrator of~~
9 ~~each private school, as appropriate, by providing the superintendent, governing~~
10 ~~body or administrator with a list of all persons:~~

11 ~~(1) Investigated pursuant to paragraph (d); or~~

12 ~~(2) Employed by or volunteering for a county school district, charter~~
13 ~~school or private school whose fingerprints were sent previously to the Central~~
14 ~~Repository for investigation.~~

15 ~~who the Central Repository's records indicate have been convicted of a violation~~
16 ~~of NRS 200.508, 201.220, 453.3385 or 453.339, or convicted of a felony or any~~
17 ~~offense involving moral turpitude since the Central Repository's initial~~
18 ~~investigation. The superintendent of each county school district, the governing body~~
19 ~~of a charter school or the administrator of each private school, as applicable, shall~~
20 ~~determine whether further investigation or action by the district, charter school or~~
21 ~~private school, as applicable, is appropriate.~~

22 ~~(f) Investigate the criminal history of each person who submits one or more~~
23 ~~fingerprints or other biometric identifier or has such data submitted pursuant to~~
24 ~~NRS 62B.270, 62G.223, 62G.353, 424.031, 432A.170, 432B.198, 433B.183,~~
25 ~~449.122, 449.123 or 449.4329 [.] or section 15.2 of this act.~~

26 ~~(g) On or before July 1 of each year, prepare and post on the Central~~
27 ~~Repository's Internet website an annual report containing the statistical data~~
28 ~~relating to crime received during the preceding calendar year. Additional reports~~
29 ~~may be posted to the Central Repository's Internet website throughout the year~~
30 ~~regarding specific areas of crime if they are approved by the Director of the~~
31 ~~Department.~~

32 ~~(h) On or before July 1 of each year, prepare and post on the Central~~
33 ~~Repository's Internet website a report containing statistical data about domestic~~
34 ~~violence in this State.~~

35 ~~(i) Identify and review the collection and processing of statistical data relating~~
36 ~~to criminal justice by any agency identified in subsection 2 and make~~
37 ~~recommendations for any necessary changes in the manner of collecting and~~
38 ~~processing statistical data by any such agency.~~

39 ~~(j) Adopt regulations governing biometric identifiers and the information and~~
40 ~~data derived from biometric identifiers, including, without limitation:~~

41 ~~(1) Their collection, use, safeguarding, handling, retention, storage,~~
42 ~~dissemination and destruction; and~~

43 ~~(2) The methods by which a person may request the removal of his or her~~
44 ~~biometric identifiers from the Central Repository and any other agency where his or~~
45 ~~her biometric identifiers have been stored.~~

46 ~~9. The Central Repository may:~~

47 ~~(a) In the manner prescribed by the Director of the Department, disseminate~~
48 ~~compilations of statistical data and publish statistical reports relating to crime.~~

49 ~~(b) Charge a reasonable fee for any publication or special report it distributes~~
50 ~~relating to data collected pursuant to this section. The Central Repository may not~~
51 ~~collect such a fee from an agency of criminal justice or any other agency dealing~~
52 ~~with crime which is required to submit information pursuant to subsection 2. All~~

~~money collected pursuant to this paragraph must be used to pay for the cost of operating the Central Repository.~~

~~(c) In the manner prescribed by the Director of the Department, use electronic means to receive and disseminate information contained in the Central Repository that it is authorized to disseminate pursuant to the provisions of this chapter.~~

~~10. As used in this section:~~

~~(a) "Mobile identification" means the collection, storage, transmission, reception, search, access or processing of a biometric identifier using a handheld device.~~

~~(b) "Personal identifying information" means any information designed, commonly used or capable of being used, alone or in conjunction with any other information, to identify a person, including, without limitation:~~

~~(1) The name, driver's license number, social security number, date of birth and photograph or computer-generated image of a person; and~~

~~(2) A biometric identifier of a person.~~

~~(c) "Private school" has the meaning ascribed to it in NRS 394.103.] (Deleted by amendment.)~~

Sec. 16. (Deleted by amendment.)

Sec. 17. NRS 200.5093 is hereby amended to read as follows:

200.5093 1. Any person who is described in subsection 4 and who, in a professional or occupational capacity, knows or has reasonable cause to believe that an older person or vulnerable person has been abused, neglected, exploited, isolated or abandoned shall:

(a) Except as otherwise provided in subsection 2, report the abuse, neglect, exploitation, isolation or abandonment of the older person or vulnerable person to:

(1) The local office of the Aging and Disability Services Division of the Department of Health and Human Services;

(2) A police department or sheriff's office; or

(3) A toll-free telephone service designated by the Aging and Disability Services Division of the Department of Health and Human Services; and

(b) Make such a report as soon as reasonably practicable but not later than 24 hours after the person knows or has reasonable cause to believe that the older person or vulnerable person has been abused, neglected, exploited, isolated or abandoned.

2. If a person who is required to make a report pursuant to subsection 1 knows or has reasonable cause to believe that the abuse, neglect, exploitation, isolation or abandonment of the older person or vulnerable person involves an act or omission of the Aging and Disability Services Division, another division of the Department of Health and Human Services or a law enforcement agency, the person shall make the report to an agency other than the one alleged to have committed the act or omission.

3. Each agency, after reducing a report to writing, shall forward a copy of the report to the Aging and Disability Services Division of the Department of Health and Human Services and the Unit for the Investigation and Prosecution of Crimes.

4. A report must be made pursuant to subsection 1 by the following persons:

(a) Every physician, dentist, dental hygienist, chiropractor, optometrist, podiatric physician, medical examiner, resident, intern, professional or practical nurse, physician assistant licensed pursuant to chapter 630 or 633 of NRS, perfusionist, psychiatrist, psychologist, marriage and family therapist, clinical professional counselor, clinical alcohol and drug counselor, alcohol and drug counselor, music therapist, athletic trainer, driver of an ambulance, paramedic, licensed dietitian, holder of a license or a limited license issued under the provisions of chapter 653 of NRS , *peer recovery support specialist, as defined in*

1 *section 6 of this act, peer recovery support specialist supervisor, as defined in*
2 *section 7 of this act*, or other person providing medical services licensed or
3 certified to practice in this State, who examines, attends or treats an older person or
4 vulnerable person who appears to have been abused, neglected, exploited, isolated
5 or abandoned.

6 (b) Any personnel of a hospital or similar institution engaged in the admission,
7 examination, care or treatment of persons or an administrator, manager or other
8 person in charge of a hospital or similar institution upon notification of the
9 suspected abuse, neglect, exploitation, isolation or abandonment of an older person
10 or vulnerable person by a member of the staff of the hospital.

11 (c) A coroner.

12 (d) Every person who maintains or is employed by an agency to provide
13 personal care services in the home.

14 (e) Every person who maintains or is employed by an agency to provide
15 nursing in the home.

16 (f) Every person who operates, who is employed by or who contracts to
17 provide services for an intermediary service organization as defined in NRS
18 449.4304.

19 (g) Any employee of the Department of Health and Human Services, except
20 the State Long-Term Care Ombudsman appointed pursuant to NRS 427A.125 and
21 any of his or her advocates or volunteers where prohibited from making such a
22 report pursuant to 45 C.F.R. § 1321.11.

23 (h) Any employee of a law enforcement agency or a county's office for
24 protective services or an adult or juvenile probation officer.

25 (i) Any person who maintains or is employed by a facility or establishment that
26 provides care for older persons or vulnerable persons.

27 (j) Any person who maintains, is employed by or serves as a volunteer for an
28 agency or service which advises persons regarding the abuse, neglect, exploitation,
29 isolation or abandonment of an older person or vulnerable person and refers them to
30 persons and agencies where their requests and needs can be met.

31 (k) Every social worker.

32 (l) Any person who owns or is employed by a funeral home or mortuary.

33 (m) ~~Every person who operates or is employed by a peer support recovery~~
34 ~~organization, as defined in NRS 449.01563.~~

35 ~~(n)~~ Every person who operates or is employed by a community health worker
36 pool, as defined in NRS 449.0028, or with whom a community health worker pool
37 contracts to provide the services of a community health worker, as defined in NRS
38 449.0027.

39 5. A report may be made by any other person.

40 6. If a person who is required to make a report pursuant to subsection 1 knows
41 or has reasonable cause to believe that an older person or vulnerable person has
42 died as a result of abuse, neglect, isolation or abandonment, the person shall, as
43 soon as reasonably practicable, report this belief to the appropriate medical
44 examiner or coroner, who shall investigate the cause of death of the older person or
45 vulnerable person and submit to the appropriate local law enforcement agencies, the
46 appropriate prosecuting attorney, the Aging and Disability Services Division of the
47 Department of Health and Human Services and the Unit for the Investigation and
48 Prosecution of Crimes his or her written findings. The written findings must include
49 the information required pursuant to the provisions of NRS 200.5094, when
50 possible.

51 7. A division, office or department which receives a report pursuant to this
52 section shall cause the investigation of the report to commence within 3 working
53 days. A copy of the final report of the investigation conducted by a division, office

1 or department, other than the Aging and Disability Services Division of the
2 Department of Health and Human Services, must be forwarded within 30 days after
3 the completion of the report to the:

- 4 (a) Aging and Disability Services Division;
- 5 (b) Repository for Information Concerning Crimes Against Older Persons or
6 Vulnerable Persons created by NRS 179A.450; and
- 7 (c) Unit for the Investigation and Prosecution of Crimes.

8 8. If the investigation of a report results in the belief that an older person or
9 vulnerable person is abused, neglected, exploited, isolated or abandoned, the Aging
10 and Disability Services Division of the Department of Health and Human Services
11 or the county's office for protective services may provide protective services to the
12 older person or vulnerable person if the older person or vulnerable person is able
13 and willing to accept them.

14 9. A person who knowingly and willfully violates any of the provisions of
15 this section is guilty of a misdemeanor.

16 10. As used in this section, "Unit for the Investigation and Prosecution of
17 Crimes" means the Unit for the Investigation and Prosecution of Crimes Against
18 Older Persons or Vulnerable Persons in the Office of the Attorney General created
19 pursuant to NRS 228.265.

20 **Sec. 18.** NRS 200.5095 is hereby amended to read as follows:

21 200.5095 1. Reports made pursuant to NRS 200.5093 and 200.5094, and
22 records and investigations relating to those reports, are confidential.

23 2. A person, law enforcement agency or public or private agency, institution
24 or facility who willfully releases data or information concerning the reports and
25 investigation of the abuse, neglect, exploitation, isolation or abandonment of older
26 persons or vulnerable persons, except:

- 27 (a) Pursuant to a criminal prosecution;
- 28 (b) Pursuant to NRS 200.50982; or
- 29 (c) To persons or agencies enumerated in subsection 3,
30 is guilty of a misdemeanor.

31 3. Except as otherwise provided in subsection 2 and NRS 200.50982, data or
32 information concerning the reports and investigations of the abuse, neglect,
33 exploitation, isolation or abandonment of an older person or a vulnerable person is
34 available only to:

35 (a) A physician who is providing care to an older person or a vulnerable person
36 who may have been abused, neglected, exploited, isolated or abandoned;

37 (b) An agency responsible for or authorized to undertake the care, treatment
38 and supervision of the older person or vulnerable person;

39 (c) A district attorney or other law enforcement official who requires the
40 information in connection with an investigation of the abuse, neglect, exploitation,
41 isolation or abandonment of the older person or vulnerable person;

42 (d) A court which has determined, in camera, that public disclosure of such
43 information is necessary for the determination of an issue before it;

44 (e) A person engaged in bona fide research, but the identity of the subjects of
45 the report must remain confidential;

46 (f) A grand jury upon its determination that access to such records is necessary
47 in the conduct of its official business;

48 (g) Any comparable authorized person or agency in another jurisdiction;

49 (h) A legal guardian of the older person or vulnerable person, if the identity of
50 the person who was responsible for reporting the alleged abuse, neglect,
51 exploitation, isolation or abandonment of the older person or vulnerable person to
52 the public agency is protected, and the legal guardian of the older person or

1 vulnerable person is not the person suspected of such abuse, neglect, exploitation,
2 isolation or abandonment;

3 (i) If the older person or vulnerable person is deceased, the executor or
4 administrator of his or her estate, if the identity of the person who was responsible
5 for reporting the alleged abuse, neglect, exploitation, isolation or abandonment of
6 the older person or vulnerable person to the public agency is protected, and the
7 executor or administrator is not the person suspected of such abuse, neglect,
8 exploitation, isolation or abandonment;

9 (j) The older person or vulnerable person named in the report as allegedly
10 being abused, neglected, exploited, isolated or abandoned, if that person is not
11 legally incapacitated;

12 (k) An attorney appointed by a court to represent a protected person in a
13 guardianship proceeding pursuant to NRS 159.0485, if:

14 (1) The protected person is an older person or vulnerable person;

15 (2) The identity of the person who was responsible for reporting the
16 alleged abuse, neglect, exploitation, isolation or abandonment of the older person or
17 vulnerable person to the public agency is protected; and

18 (3) The attorney of the protected person is not the person suspected of such
19 abuse, neglect, exploitation, isolation or abandonment; or

20 (l) The State Guardianship Compliance Office created by NRS 159.341.

21 4. If the person who is reported to have abused, neglected, exploited, isolated
22 or abandoned an older person or a vulnerable person is the holder of a license or
23 certificate issued pursuant to chapters 449, 630 to 641B, inclusive, 653 or 654 of
24 NRS ~~§~~ *or sections 2 to 15.7, inclusive, of this act*, the information contained in the
25 report must be submitted to the board *or agency* that issued the license ~~§~~ *or*
26 *certificate*.

27 5. If data or information concerning the reports and investigations of the
28 abuse, neglect, exploitation, isolation or abandonment of an older person or a
29 vulnerable person is made available pursuant to paragraph (b) or (j) of subsection 3
30 or subsection 4, the name and any other identifying information of the person who
31 made the report must be redacted before the data or information is made available.

32 **Sec. 18.5.** Chapter 389 of NRS is hereby amended by adding thereto a new
33 section to read as follows:

34 *The Department shall develop, maintain and publish on an Internet website*
35 *maintained by the Department a list of evidence-based curricula and programs*
36 *concerning the prevention of substance misuse and substance use disorders.*

37 **Sec. 19.** (Deleted by amendment.)

38 **Sec. 20.** Chapter 392 of NRS is hereby amended by adding thereto a new
39 section to read as follows:

40 1. *Except as otherwise provided in subsection 2, the board of trustees of*
41 *each school district and the governing body of each charter school that operates a*
42 *middle school, junior high school or high school shall ensure that the school*
43 *district or charter school, as applicable, participates in the biennial survey*
44 *administered pursuant to the Youth Risk Behavior Surveillance System developed*
45 *by the Centers for Disease Control and Prevention of the United States*
46 *Department of Health and Human Services, or any equivalent or successor*
47 *system developed by the Centers for Disease Control and Prevention.*

48 2. *A public school shall not administer the survey described in subsection 1*
49 *to a pupil if:*

50 (a) *The pupil is an unemancipated minor and the parent or guardian of the*
51 *pupil has refused to consent to the administration of the survey pursuant to*
52 *subsection 5; or*

1 ***(b) The pupil has refused to participate in the survey pursuant to subsection***
2 **5.**

3 ***3. The board of trustees of a school district or the governing body of a***
4 ***charter school that operates as a middle school, junior high school or high school***
5 ***shall ensure that a form is provided to the parent or guardian of each pupil to***
6 ***whom the survey described in subsection 1 will be administered that allows the***
7 ***parent or guardian to refuse consent to the administration of the survey to the***
8 ***pupil.***

9 ***4. Before the administration of the survey described in subsection 1 to a***
10 ***pupil, the board of trustees of a school district or the governing body of a charter***
11 ***school shall provide the parent or guardian of the pupil or, if the pupil is an***
12 ***emancipated minor or is at least 18 years of age, the pupil, with an opportunity to***
13 ***review the survey and written notice of:***

14 ***(a) The manner in which the survey will be administered;***

15 ***(b) The manner in which the results of the survey will be used; and***

16 ***(c) The persons who will have access to the results of the survey.***

17 **5. At any time:**

18 ***(a) The parent or guardian of a pupil who is an unemancipated minor may***
19 ***refuse to provide consent to the administration of the survey described in***
20 ***subsection 1 by completing and submitting the form described in subsection 3, or***
21 ***any other written refusal of consent, to the principal or other person in charge of***
22 ***the public school in which the pupil is enrolled.***

23 ***(b) A pupil may refuse to participate in the survey.***

24 **Sec. 20.3.** NRS 427A.175 is hereby amended to read as follows:

25 427A.175 1. Within 1 year after an older patient sustains damage to his or
26 her property as a result of any act or failure to act by a facility for intermediate care,
27 a facility for skilled nursing, a residential facility for groups, a home for individual
28 residential care, an agency to provide personal care services in the home, an
29 intermediary service organization, a community health worker pool ~~[, a peer~~
30 ~~support recovery organization]~~ or an agency to provide nursing in the home in
31 protecting the property, the older patient may file a verified complaint with the
32 Division setting forth the details of the damage.

33 2. Upon receiving a verified complaint pursuant to subsection 1, the
34 Administrator shall investigate the complaint and attempt to settle the matter
35 through arbitration, mediation or negotiation.

36 3. If a settlement is not reached pursuant to subsection 2, the facility, home,
37 agency, organization or older patient may request a hearing before the Attorney for
38 the Rights of Older Persons and Persons with a Physical Disability, an Intellectual
39 Disability or a Related Condition. If requested, the Attorney for the Rights of Older
40 Persons and Persons with a Physical Disability, an Intellectual Disability or a
41 Related Condition shall conduct a hearing to determine whether the facility, home,
42 agency, pool or organization is liable for damages to the patient. If the Attorney for
43 the Rights of Older Persons and Persons with a Physical Disability, an Intellectual
44 Disability or a Related Condition determines that the facility, home, agency, pool or
45 organization is liable for damages to the patient, the Attorney for the Rights of
46 Older Persons and Persons with a Physical Disability, an Intellectual Disability or a
47 Related Condition shall order the amount of the surety bond pursuant to NRS
48 449.065 or the substitute for the surety bond necessary to pay for the damages
49 pursuant to NRS 449.067 to be released to the Division. The Division shall pay any
50 such amount to the older patient or the estate of the older patient.

51 4. The Division shall create a separate account for money to be collected and
52 distributed pursuant to this section.

53 5. As used in this section:

1 (a) "Agency to provide nursing in the home" has the meaning ascribed to it in
2 NRS 449.0015;

3 (b) "Agency to provide personal care services in the home" has the meaning
4 ascribed to it in NRS 449.0021;

5 (c) "Community health worker pool" has the meaning ascribed to it in NRS
6 449.0028;

7 (d) "Facility for intermediate care" has the meaning ascribed to it in NRS
8 449.0038;

9 (e) "Facility for skilled nursing" has the meaning ascribed to it in NRS
10 449.0039;

11 (f) "Home for individual residential care" has the meaning ascribed to it in
12 NRS 449.0105;

13 (g) "Intermediary service organization" has the meaning ascribed to it in NRS
14 449.4304;

15 (h) "Older patient" has the meaning ascribed to it in NRS 449.065; *and*

16 (i) ~~Peer support recovery organization" has the meaning ascribed to it in NRS~~
17 ~~449.01563; and~~

18 ~~(j) "Residential facility for groups" has the meaning ascribed to it in NRS~~
19 ~~449.017.~~

20 **Sec. 20.6.** ~~NRS 432.100 is hereby amended to read as follows:~~

21 ~~432.100 1. There is hereby established a Statewide Central Registry for the~~
22 ~~Collection of Information Concerning the Abuse or Neglect of a Child. This Central~~
23 ~~Registry must be maintained by the Division.~~

24 ~~2. The Central Registry must contain:~~

25 ~~(a) The information in any substantiated report of child abuse or neglect made~~
26 ~~pursuant to NRS 392.303 or 432B.220;~~

27 ~~(b) The information in any substantiated report of a violation of NRS 201.540,~~
28 ~~201.560, 392.4633 or 394.366 made pursuant to NRS 392.303;~~

29 ~~(c) Statistical information on the protective services provided in this State; and~~

30 ~~(d) Any other information which the Division determines to be in furtherance~~
31 ~~of NRS 392.275 to 392.365, inclusive, 432.097 to 432.130, inclusive, and 432B.010~~
32 ~~to 432B.400, inclusive.~~

33 ~~3. The Division may release information contained in the Central Registry to~~
34 ~~an employer:~~

35 ~~(a) If the person who is the subject of a background investigation by the~~
36 ~~employer provides written authorization for the release of the information; and~~

37 ~~(b) Either:~~

38 ~~(1) The employer is required by law to conduct the background~~
39 ~~investigation of the person for employment purposes; or~~

40 ~~(2) The person who is the subject of the background investigation could, in~~
41 ~~the course of his or her employment, have regular and substantial contact with~~
42 ~~children or regular and substantial contact with elderly persons who require~~
43 ~~assistance or care from other persons;~~

44 ~~but only to the extent necessary to inform the employer whether the person who~~
45 ~~is the subject of the background investigation has been found to have abused or~~
46 ~~neglected a child.~~

47 ~~4. Except as otherwise provided in this section or by specific statute,~~
48 ~~information in the Central Registry may be accessed only by:~~

49 ~~(a) An employee of the Division;~~

50 ~~(b) An agency which provides child welfare services;~~

51 ~~(c) An employee of the Division of Public and Behavioral Health of the~~
52 ~~Department who is obtaining information in accordance with NRS 432A.170 [;] or~~
53 ~~section 15.2 of this act; and~~

~~(d) With the approval of the Administrator, an employee or contractor of any other state or local governmental agency responsible for the welfare of children who requests access to the information and who demonstrates to the satisfaction of the Administrator a bona fide need to access the information. Any approval or denial of a request submitted in accordance with this paragraph is at the sole discretion of the Administrator.] (Deleted by amendment.)~~

Sec. 21. NRS 432B.220 is hereby amended to read as follows:

432B.220 1. Any person who is described in subsection 4 and who, in his or her professional or occupational capacity, knows or has reasonable cause to believe that a child has been abused or neglected shall:

(a) Except as otherwise provided in subsection 2, report the abuse or neglect of the child to an agency which provides child welfare services or to a law enforcement agency; and

(b) Make such a report as soon as reasonably practicable but not later than 24 hours after the person knows or has reasonable cause to believe that the child has been abused or neglected.

2. If a person who is required to make a report pursuant to subsection 1 knows or has reasonable cause to believe that the abuse or neglect of the child involves an act or omission of:

(a) A person directly responsible or serving as a volunteer for or an employee of a public or private home, institution or facility where the child is receiving child care outside of the home for a portion of the day, the person shall make the report to a law enforcement agency.

(b) An agency which provides child welfare services or a law enforcement agency, the person shall make the report to an agency other than the one alleged to have committed the act or omission, and the investigation of the abuse or neglect of the child must be made by an agency other than the one alleged to have committed the act or omission.

3. Any person who is described in paragraph (a) of subsection 4 who delivers or provides medical services to a newborn infant and who, in his or her professional or occupational capacity, knows or has reasonable cause to believe that the newborn infant has been affected by a fetal alcohol spectrum disorder or prenatal substance use disorder or has withdrawal symptoms resulting from prenatal substance exposure shall, as soon as reasonably practicable but not later than 24 hours after the person knows or has reasonable cause to believe that the newborn infant is so affected or has such symptoms, notify an agency which provides child welfare services of the condition of the infant and refer each person who is responsible for the welfare of the infant to an agency which provides child welfare services for appropriate counseling, training or other services. A notification and referral to an agency which provides child welfare services pursuant to this subsection shall not be construed to require prosecution for any illegal action.

4. A report must be made pursuant to subsection 1 by the following persons:

(a) A person providing services licensed or certified in this State pursuant to, without limitation, chapter 450B, 630, 630A, 631, 632, 633, 634, 634A, 635, 636, 637, 637B, 639, 640, 640A, 640B, 640C, 640D, 640E, 641, 641A, 641B, 641C or 653 of NRS.

(b) Any personnel of a medical facility licensed pursuant to chapter 449 of NRS who are engaged in the admission, examination, care or treatment of persons or an administrator, manager or other person in charge of such a medical facility upon notification of suspected abuse or neglect of a child by a member of the staff of the medical facility.

(c) A coroner.

1 (d) A member of the clergy, practitioner of Christian Science or religious
2 healer, unless the person has acquired the knowledge of the abuse or neglect from
3 the offender during a confession.

4 (e) A person employed by a public school or private school and any person
5 who serves as a volunteer at such a school.

6 (f) Any person who maintains or is employed by a facility or establishment that
7 provides care for children, children's camp or other public or private facility,
8 institution or agency furnishing care to a child.

9 (g) Any person licensed pursuant to chapter 424 of NRS to conduct a foster
10 home.

11 (h) Any officer or employee of a law enforcement agency or an adult or
12 juvenile probation officer.

13 (i) Except as otherwise provided in NRS 432B.225, an attorney.

14 (j) Any person who maintains, is employed by or serves as a volunteer for an
15 agency or service which advises persons regarding abuse or neglect of a child and
16 refers them to persons and agencies where their requests and needs can be met.

17 (k) Any person who is employed by or serves as a volunteer for a youth shelter.
18 As used in this paragraph, "youth shelter" has the meaning ascribed to it in NRS
19 244.427.

20 (l) *A peer recovery support specialist, as defined in section 6 of this act, or*
21 *peer recovery support specialist supervisor, as defined in section 7 of this act.*

22 (m) Any adult person who is employed by an entity that provides organized
23 activities for children, including, without limitation, a person who is employed by a
24 school district or public school.

25 5. A report may be made by any other person.

26 6. If a person who is required to make a report pursuant to subsection 1 knows
27 or has reasonable cause to believe that a child has died as a result of abuse or
28 neglect, the person shall, as soon as reasonably practicable, report this belief to an
29 agency which provides child welfare services or a law enforcement agency. If such
30 a report is made to a law enforcement agency, the law enforcement agency shall
31 notify an agency which provides child welfare services and the appropriate medical
32 examiner or coroner of the report. If such a report is made to an agency which
33 provides child welfare services, the agency which provides child welfare services
34 shall notify the appropriate medical examiner or coroner of the report. The medical
35 examiner or coroner who is notified of a report pursuant to this subsection shall
36 investigate the report and submit his or her written findings to the appropriate
37 agency which provides child welfare services, the appropriate district attorney and a
38 law enforcement agency. The written findings must include, if obtainable, the
39 information required pursuant to the provisions of subsection 2 of NRS 432B.230.

40 7. The agency, board, bureau, commission, department, division or political
41 subdivision of the State responsible for the licensure, certification or endorsement
42 of a person who is described in subsection 4 and who is required in his or her
43 professional or occupational capacity to be licensed, certified or endorsed in this
44 State shall, at the time of initial licensure, certification or endorsement:

45 (a) Inform the person, in writing or by electronic communication, of his or her
46 duty as a mandatory reporter pursuant to this section;

47 (b) Obtain a written acknowledgment or electronic record from the person that
48 he or she has been informed of his or her duty pursuant to this section; and

49 (c) Maintain a copy of the written acknowledgment or electronic record for as
50 long as the person is licensed, certified or endorsed in this State.

51 8. The employer of a person who is described in subsection 4 and who is not
52 required in his or her professional or occupational capacity to be licensed, certified
53 or endorsed in this State must, upon initial employment of the person:

1 (a) Inform the person, in writing or by electronic communication, of his or her
2 duty as a mandatory reporter pursuant to this section;

3 (b) Obtain a written acknowledgment or electronic record from the person that
4 he or she has been informed of his or her duty pursuant to this section; and

5 (c) Maintain a copy of the written acknowledgment or electronic record for as
6 long as the person is employed by the employer.

7 9. Before a person may serve as a volunteer at a public school or private
8 school, the school must:

9 (a) Inform the person, in writing or by electronic communication, of his or her
10 duty as a mandatory reporter pursuant to this section and NRS 392.303;

11 (b) Obtain a written acknowledgment or electronic record from the person that
12 he or she has been informed of his or her duty pursuant to this section and NRS
13 392.303; and

14 (c) Maintain a copy of the written acknowledgment or electronic record for as
15 long as the person serves as a volunteer at the school.

16 10. As used in this section:

17 (a) "Private school" has the meaning ascribed to it in NRS 394.103.

18 (b) "Public school" has the meaning ascribed to it in NRS 385.007.

19 **Sec. 22.** (Deleted by amendment.)

20 **Sec. 22.5.** NRS 449.0045 is hereby amended to read as follows:

21 449.0045 "Facility for the dependent" includes:

22 1. A facility for the treatment of alcohol or other substance use disorders;

23 2. A halfway house for persons recovering from alcohol or other substance
24 use disorders;

25 3. A facility for the care of adults during the day;

26 4. A residential facility for groups;

27 5. An agency to provide personal care services in the home;

28 6. A facility for transitional living for released offenders;

29 7. A home for individual residential care;

30 8. ~~A peer support recovery organization;~~

31 ~~9.] A community health worker pool; and~~

32 ~~10.] 9.~~ A provider of community-based living arrangement services.

33 **Sec. 23.** (Deleted by amendment.)

34 **Sec. 24.** (Deleted by amendment.)

35 **Sec. 24.2.** NRS 449.030 is hereby amended to read as follows:

36 449.030 Except as otherwise provided in NRS 449.03013 ~~[449.03015]~~ and
37 449.03017, no person, state or local government or agency thereof may operate or
38 maintain in this State any medical facility or facility for the dependent without first
39 obtaining a license therefor as provided in NRS 449.029 to 449.2428, inclusive.

40 **Sec. 24.4.** NRS 449.065 is hereby amended to read as follows:

41 449.065 1. Except as otherwise provided in subsections 6 and 7 and NRS
42 449.067, each facility for intermediate care, facility for skilled nursing, ~~[peer~~
43 ~~support recovery organization.]~~ residential facility for groups, home for individual
44 residential care, agency to provide personal care services in the home and agency to
45 provide nursing in the home shall, when applying for a license or renewing a
46 license, file with the Administrator of the Division of Public and Behavioral Health
47 a surety bond:

48 (a) If the facility, agency, organization or home employs less than 7
49 employees, in the amount of \$5,000;

50 (b) If the facility, agency, organization or home employs at least 7 but not more
51 than 25 employees, in the amount of \$25,000; or

52 (c) If the facility, agency, organization or home employs more than 25
53 employees, in the amount of \$50,000.

1 2. A bond filed pursuant to this section must be executed by the facility,
2 agency, organization or home as principal and by a surety company as surety. The
3 bond must be payable to the Aging and Disability Services Division of the
4 Department of Health and Human Services and must be conditioned to provide
5 indemnification to an older patient who the Attorney for the Rights of Older
6 Persons and Persons with a Physical Disability, an Intellectual Disability or a
7 Related Condition determines has suffered property damage as a result of any act or
8 failure to act by the facility, agency, organization or home to protect the property of
9 the older patient.

10 3. Except when a surety is released, the surety bond must cover the period of
11 the initial license to operate or the period of the renewal, as appropriate.

12 4. A surety on any bond filed pursuant to this section may be released after
13 the surety gives 30 days' written notice to the Administrator of the Division of
14 Public and Behavioral Health, but the release does not discharge or otherwise affect
15 any claim filed by an older patient for property damaged as a result of any act or
16 failure to act by the facility, agency, organization or home to protect the property of
17 the older patient alleged to have occurred while the bond was in effect.

18 5. A license is suspended by operation of law when the facility, agency,
19 organization or home is no longer covered by a surety bond as required by this
20 section or by a substitute for the surety bond pursuant to NRS 449.067. The
21 Administrator of the Division of Public and Behavioral Health shall give the
22 facility, agency, organization or home at least 20 days' written notice before the
23 release of the surety or the substitute for the surety, to the effect that the license will
24 be suspended by operation of law until another surety bond or substitute for the
25 surety bond is filed in the same manner and amount as the bond or substitute being
26 terminated.

27 6. The Administrator of the Division of Public and Behavioral Health may
28 exempt a ~~[peer support recovery organization,]~~ residential facility for groups or a
29 home for individual residential care from the requirement of filing a surety bond
30 pursuant to this section if the Administrator determines that the requirement would
31 result in undue hardship to the ~~[peer support recovery organization,]~~ residential
32 facility for groups or home for individual residential care.

33 7. The requirement of filing a surety bond set forth in this section does not
34 apply to a facility for intermediate care, facility for skilled nursing, ~~[peer support~~
35 ~~recovery organization,]~~ residential facility for groups, home for individual
36 residential care, agency to provide personal care services in the home or agency to
37 provide nursing in the home that is operated and maintained by the State of Nevada
38 or an agency thereof.

39 8. As used in this section, "older patient" means a patient who is 60 years of
40 age or older.

41 **Sec. 24.6.** NRS 449.067 is hereby amended to read as follows:

42 449.067 1. As a substitute for the surety bond required pursuant to NRS
43 449.065, a facility for intermediate care, a facility for skilled nursing, ~~[a peer~~
44 ~~support recovery organization,]~~ a residential facility for groups, a home for
45 individual residential care, an agency to provide personal care services in the home
46 and an agency to provide nursing in the home may deposit with any bank or trust
47 company authorized to do business in this State, upon approval from the
48 Administrator of the Division of Public and Behavioral Health:

49 (a) An obligation of a bank, savings and loan association, savings bank, thrift
50 company or credit union licensed to do business in this State;

51 (b) Bills, bonds, notes, debentures or other obligations of the United States or
52 any agency or instrumentality thereof, or guaranteed by the United States; or

1 (c) Any obligation of this State or any city, county, town, township, school
2 district or other instrumentality of this State, or guaranteed by this State, in an
3 aggregate amount, based upon principal amount or market value, whichever is
4 lower.

5 2. The obligations of a bank, savings and loan association, savings bank, thrift
6 company or credit union must be held to secure the same obligation as would the
7 surety bond required by NRS 449.065. With the approval of the Administrator of
8 the Division of Public and Behavioral Health, the depositor may substitute other
9 suitable obligations for those deposited, which must be assigned to the Aging and
10 Disability Services Division of the Department of Health and Human Services and
11 are negotiable only upon approval by the Administrator of the Aging and Disability
12 Services Division.

13 3. Any interest or dividends earned on the deposit accrue to the account of the
14 depositor.

15 4. The deposit must be an amount at least equal to the surety bond required by
16 NRS 449.065 and must state that the amount may not be withdrawn except by
17 direct and sole order of the Administrator of the Aging and Disability Services
18 Division.

19 **Sec. 24.8.** NRS 449.089 is hereby amended to read as follows:

20 449.089 1. Each license issued pursuant to NRS 449.029 to 449.2428,
21 inclusive, expires on December 31 following its issuance and is renewable for 1
22 year upon reapplication and payment of all fees required pursuant to NRS 449.050
23 unless the Division finds, after an investigation, that the facility has not:

24 (a) Satisfactorily complied with the provisions of NRS 449.029 to 449.2428,
25 inclusive, or the standards and regulations adopted by the Board;

26 (b) Obtained the approval of the Director of the Department of Health and
27 Human Services before undertaking a project, if such approval is required by NRS
28 439A.100; or

29 (c) Conformed to all applicable local zoning regulations.

30 2. Each reapplication for an agency to provide personal care services in the
31 home, an agency to provide nursing in the home, a community health worker pool,
32 a facility for intermediate care, a facility for skilled nursing, a provider of
33 community-based living arrangement services, a hospital described in 42 U.S.C. §
34 1395ww(d)(1)(B)(iv), a psychiatric hospital that provides inpatient services to
35 children, a psychiatric residential treatment facility, a residential facility for groups,
36 a program of hospice care, a home for individual residential care, a facility for the
37 care of adults during the day, a facility for hospice care, a nursing pool, ~~fa-peer
38 support recovery organization,~~ the distinct part of a hospital which meets the
39 requirements of a skilled nursing facility or nursing facility pursuant to 42 C.F.R. §
40 483.5, a hospital that provides swing-bed services as described in 42 C.F.R. §
41 482.58 or, if residential services are provided to children, a medical facility or
42 facility for the treatment of alcohol or other substance use disorders must include,
43 without limitation, a statement that the facility, hospital, agency, program, pool ~~f-
44 organization~~ or home is in compliance with the provisions of NRS 449.115 to
45 449.125, inclusive, and 449.174.

46 3. Each reapplication for an agency to provide personal care services in the
47 home, a community health worker pool, a facility for intermediate care, a facility
48 for skilled nursing, a facility for the care of adults during the day, ~~fa-peer support
49 recovery organization,~~ a residential facility for groups or a home for individual
50 residential care must include, without limitation, a statement that the holder of the
51 license to operate, and the administrator or other person in charge and employees
52 of, the facility, agency, pool ~~f-organization~~ or home are in compliance with the
53 provisions of NRS 449.093.

1 **Sec. 25.** NRS 449.0915 is hereby amended to read as follows:

2 449.0915 1. The Division may issue an endorsement as a crisis stabilization
3 center to the holder of a license to operate a psychiatric hospital that meets the
4 requirements of this section.

5 2. A psychiatric hospital that wishes to obtain an endorsement as a crisis
6 stabilization center must submit an application in the form prescribed by the
7 Division which must include, without limitation, proof that the applicant meets the
8 requirements of subsection 3.

9 3. An endorsement as a crisis stabilization center may only be issued if the
10 psychiatric hospital to which the endorsement will apply:

11 (a) Does not exceed a capacity of 16 beds or constitute an institution for mental
12 diseases, as defined in 42 U.S.C. § 1396d;

13 (b) Operates in accordance with established administrative protocols, evidence-
14 based protocols for providing treatment and evidence-based standards for
15 documenting information concerning services rendered and recipients of such
16 services in accordance with best practices for providing crisis stabilization services;

17 (c) Delivers crisis stabilization services:

18 (1) To patients for not less than 24 hours in an area devoted to crisis
19 stabilization or detoxification before releasing the patient into the community,
20 referring the patient to another facility or transferring the patient to a bed within the
21 hospital for short-term treatment, if the psychiatric hospital has such beds;

22 (2) In accordance with best practices for the delivery of crisis stabilization
23 services; and

24 (3) In a manner that promotes concepts that are integral to recovery for
25 persons with mental illness, including, without limitation, hope, personal
26 empowerment, respect, social connections, self-responsibility and self-
27 determination;

28 (d) Employs ~~[qualified persons]~~ *peer recovery support specialists, as defined*
29 *in section 6 of this act*, to provide peer *recovery* support services, as defined in
30 ~~[NRS 449.01566.]~~ *section 5 of this act*, when appropriate;

31 (e) Uses a data management tool to collect and maintain data relating to
32 admissions, discharges, diagnoses and long-term outcomes for recipients of crisis
33 stabilization services;

34 (f) Accepts all patients, without regard to:

35 (1) The race, ethnicity, gender, socioeconomic status, sexual orientation or
36 place of residence of the patient;

37 (2) Any social conditions that affect the patient;

38 (3) The ability of the patient to pay; or

39 (4) Whether the patient is admitted voluntarily to the psychiatric hospital
40 pursuant to NRS 433A.140 or admitted to the psychiatric hospital under an
41 emergency admission pursuant to NRS 433A.150;

42 (g) Performs an initial assessment on any patient who presents at the
43 psychiatric hospital, regardless of the severity of the behavioral health issues that
44 the patient is experiencing;

45 (h) Has the equipment and personnel necessary to conduct a medical
46 examination of a patient pursuant to NRS 433A.165; and

47 (i) Considers whether each patient would be better served by another facility
48 and transfer a patient to another facility when appropriate.

49 4. Crisis stabilization services that may be provided pursuant to paragraph (c)
50 of subsection 3 may include, without limitation:

51 (a) Case management services, including, without limitation, such services to
52 assist patients to obtain housing, food, primary health care and other basic needs;

1 (b) Services to intervene effectively when a behavioral health crisis occurs and
2 address underlying issues that lead to repeated behavioral health crises;

3 (c) Treatment specific to the diagnosis of a patient; and

4 (d) Coordination of aftercare for patients, including, without limitation, at least
5 one follow-up contact with a patient not later than 72 hours after the patient is
6 discharged.

7 5. An endorsement as a crisis stabilization center must be renewed at the same
8 time as the license to which the endorsement applies. An application to renew an
9 endorsement as a crisis stabilization center must include, without limitation:

10 (a) The information described in subsection 3; and

11 (b) Proof that the psychiatric hospital is accredited by the Commission on
12 Accreditation of Rehabilitation Facilities, or its successor organization, or the Joint
13 Commission, or its successor organization.

14 6. As used in this section, “crisis stabilization services” means behavioral
15 health services designed to:

16 (a) De-escalate or stabilize a behavioral crisis, including, without limitation, a
17 behavioral health crisis experienced by a person with a co-occurring substance use
18 disorder; and

19 (b) When appropriate, avoid admission of a patient to another inpatient mental
20 health facility or hospital and connect the patient with providers of ongoing care as
21 appropriate for the unique needs of the patient.

22 **Sec. 25.2.** NRS 449.119 is hereby amended to read as follows:

23 449.119 “Facility, hospital, agency, program or home” means an agency to
24 provide personal care services in the home, an employment agency that contracts
25 with persons to provide nonmedical services related to personal care to elderly
26 persons or persons with disabilities in the home, an agency to provide nursing in the
27 home, a community health worker pool, a facility for intermediate care, a facility
28 for skilled nursing, a provider of community-based living arrangement services, a
29 hospital described in 42 U.S.C. § 1395ww(d)(1)(B)(iv), a psychiatric hospital that
30 provides inpatient services to children, a psychiatric residential treatment facility, ~~fa~~
31 ~~peer support recovery organization,~~ a residential facility for groups, a program of
32 hospice care, a home for individual residential care, a facility for the care of adults
33 during the day, a facility for hospice care, a nursing pool, the distinct part of a
34 hospital which meets the requirements of a skilled nursing facility or nursing
35 facility pursuant to 42 C.F.R. § 483.5, a hospital that provides swing-bed services
36 as described in 42 C.F.R. § 482.58 or, if residential services are provided to
37 children, a medical facility or facility for the treatment of alcohol or other substance
38 use disorders.

39 **Sec. 25.5.** NRS 449.174 is hereby amended to read as follows:

40 449.174 1. In addition to the grounds listed in NRS 449.160, the Division
41 may deny a license to operate a facility, hospital, agency, program or home to an
42 applicant or may suspend or revoke the license of a licensee to operate such a
43 facility, hospital, agency, program or home if:

44 (a) The applicant or licensee has been convicted of:

45 (1) Murder, voluntary manslaughter or mayhem;

46 (2) Assault or battery with intent to kill or to commit sexual assault or
47 mayhem;

48 (3) Sexual assault, statutory sexual seduction, incest, lewdness or indecent
49 exposure, or any other sexually related crime that is punished as a felony;

50 (4) Prostitution, solicitation, lewdness or indecent exposure, or any other
51 sexually related crime that is punished as a misdemeanor, within the immediately
52 preceding 7 years;

53 (5) A crime involving domestic violence that is punished as a felony;

1 (6) A crime involving domestic violence that is punished as a
2 misdemeanor, within the immediately preceding 7 years;

3 (7) Abuse or neglect of a child or contributory delinquency;

4 (8) A violation of any federal or state law regulating the possession,
5 distribution or use of any controlled substance or any dangerous drug as defined in
6 chapter 454 of NRS, within the immediately preceding 7 years;

7 (9) Abuse, neglect, exploitation, isolation or abandonment of older persons
8 or vulnerable persons, including, without limitation, a violation of any provision of
9 NRS 200.5091 to 200.50995, inclusive, or a law of any other jurisdiction that
10 prohibits the same or similar conduct;

11 (10) A violation of any provision of law relating to the State Plan for
12 Medicaid or a law of any other jurisdiction that prohibits the same or similar
13 conduct, within the immediately preceding 7 years;

14 (11) A violation of any provision of NRS 422.450 to 422.590, inclusive;

15 (12) A criminal offense under the laws governing Medicaid or Medicare,
16 within the immediately preceding 7 years;

17 (13) Any offense involving fraud, theft, embezzlement, burglary, robbery,
18 fraudulent conversion or misappropriation of property, within the immediately
19 preceding 7 years;

20 (14) Any other felony involving the use or threatened use of force or
21 violence against the victim or the use of a firearm or other deadly weapon; or

22 (15) An attempt or conspiracy to commit any of the offenses listed in this
23 paragraph, within the immediately preceding 7 years;

24 (b) The licensee has, in violation of NRS 449.125, continued to employ a
25 person who has been convicted of a crime listed in paragraph (a); or

26 (c) The applicant or licensee has had a substantiated report of child abuse or
27 neglect made against him or her and if the facility, hospital, agency, program or
28 home provides residential services to children, is a psychiatric hospital that
29 provides inpatient services to children or is a psychiatric residential treatment
30 facility.

31 2. In addition to the grounds listed in NRS 449.160, the Division may
32 suspend or revoke the license of a licensee to operate an agency to provide personal
33 care services in the home, an agency to provide nursing in the home ~~{ }~~ or
34 a community health worker pool ~~{ for a peer support recovery organization }~~ if the
35 licensee has, in violation of NRS 449.125, continued to employ a person who has
36 been convicted of a crime listed in paragraph (a) of subsection 1.

37 3. As used in this section:

38 (a) "Domestic violence" means an act described in NRS 33.018.

39 (b) "Facility, hospital, agency, program or home" has the meaning ascribed to
40 it in NRS 449.119.

41 (c) "Medicaid" has the meaning ascribed to it in NRS 439B.120.

42 (d) "Medicare" has the meaning ascribed to it in NRS 439B.130.

43 **Sec. 25.7.** NRS 449.194 is hereby amended to read as follows:

44 449.194 Any person who is employed by an agency to provide personal care
45 services in the home ~~{ }~~ or a community health worker pool ~~{ for a peer support
46 recovery organization }~~ who:

47 1. Has successfully completed a course in cardiopulmonary resuscitation
48 according to the guidelines of the American National Red Cross or American Heart
49 Association;

50 2. Has successfully completed the training requirements of a course in basic
51 emergency care of a person in cardiac arrest conducted in accordance with the
52 standards of the American Heart Association; or

1 3. Has successfully completed the training requirements of a course in the use
2 and administration of first aid, including cardiopulmonary resuscitation,
3 and who in good faith renders emergency care or assistance in accordance with
4 the person's training, in the course of his or her regular employment or profession,
5 to an elderly person or a person with a disability, is not liable for any civil damages
6 as a result of any act or omission, not amounting to gross negligence, by that person
7 in rendering that care.

8 **Sec. 26.** Chapter 458 of NRS is hereby amended by adding thereto a new
9 section to read as follows:

10 1. *The State Board of Health shall adopt regulations:*

11 (a) *Providing for the certification of substance use disorder prevention*
12 *coalitions; and*

13 (b) *Establishing requirements governing the membership of and geographic*
14 *region served by substance use disorder prevention coalitions. The regulations*
15 *adopted pursuant to this paragraph must align with nationally recognized*
16 *standards for substance use disorder prevention coalitions and must provide that*
17 *a geographic region may be served by more than one substance use disorder*
18 *prevention coalition.*

19 2. *A certified substance use disorder prevention coalition shall:*

20 (a) *Advise the Department of Health and Human Services and the Division*
21 *concerning:*

22 (1) *The needs of adults and children in the geographic region served by*
23 *the coalition concerning the prevention of substance misuse and substance use*
24 *disorders in the geographic region;*

25 (2) *Any progress, problems or plans relating to the provision of services*
26 *for the prevention of substance misuse and substance use disorders and methods*
27 *for improving the provision of such services in the geographic region served by*
28 *the coalition;*

29 (3) *Identified gaps in services for the prevention of substance misuse and*
30 *substance use disorders and recommendations for addressing those gaps; and*

31 (4) *Priorities for allocating resources to support and develop services for*
32 *the prevention of substance misuse and substance use disorders in the geographic*
33 *region served by the coalition.*

34 (b) *Convene interested persons and entities to promote the use of evidence-*
35 *based strategies to address needs concerning services for the prevention of*
36 *substance misuse and substance use disorders and improve such services in the*
37 *geographic region served by the coalition.*

38 (c) *Coordinate and share information with other certified substance use*
39 *disorder prevention coalitions to provide recommendations to the Department of*
40 *Health and Human Services and the Division concerning services for the*
41 *prevention of substance misuse and substance use disorders.*

42 (d) *Implement, in coordination with the Department of Health and Human*
43 *Services, the Division, other certified substance use disorder prevention coalitions*
44 *and other interested persons and entities, statewide efforts for the prevention of*
45 *substance misuse and substance use disorders.*

46 (e) *Coordinate with persons and entities in this State who provide services*
47 *related to the prevention of substance misuse and substance use disorders to*
48 *increase the awareness of such services and reduce duplication of efforts.*

49 (f) *In consultation with other persons and entities in this State who provide*
50 *services related to the prevention of substance use disorders, submit an annual*
51 *report to the regional behavioral health policy board for the geographic region*
52 *served by the substance use disorder prevention coalition. The report must*
53 *include, without limitation:*

1 (1) *Identification of the specific needs of the geographic region served by*
2 *the coalition concerning the prevention of substance misuse and substance use*
3 *disorders;*

4 (2) *A description of methods that the coalition uses to collect and analyze*
5 *data concerning:*

6 (I) *Substance misuse and substance use disorders in the geographic*
7 *region served by the coalition; and*

8 (II) *Gaps in services related to the prevention of substance misuse*
9 *and substance use disorders and the need for additional services in that region;*

10 (3) *The strategies used by the coalition and the results of those strategies;*

11 (4) *The goals of the coalition for the immediately preceding year and the*
12 *degree to which the coalition achieved those goals; and*

13 (5) *The goals of the coalition for the immediately following year and the*
14 *long-term goals of the coalition.*

15 3. *The Division shall collaborate with and utilize certified substance use*
16 *disorder prevention coalitions as the primary local and regional entities to*
17 *coordinate programs and strategies for the prevention of substance use disorders*
18 *in this State.*

19 4. *As used in this section:*

20 (a) *“Behavioral health region” has the meaning ascribed to it in NRS*
21 *433.426.*

22 (b) *“Substance use disorder prevention coalition” means a coalition of*
23 *persons and entities who possess knowledge and experience related to the*
24 *prevention of substance misuse and substance use disorders in a region of this*
25 *State.*

26 **Sec. 27.** NRS 458.110 is hereby amended to read as follows:

27 458.110 In addition to the activities set forth in NRS 458.025 to 458.115,
28 inclusive, **and section 26 of this act**, the Division may engage in any activity
29 necessary to effectuate the purposes of this chapter.

30 **Sec. 28.** NRS 632.472 is hereby amended to read as follows:

31 632.472 1. The following persons shall report in writing to the Executive
32 Director of the Board any conduct of a licensee or holder of a certificate which
33 constitutes a violation of the provisions of this chapter:

34 (a) Any physician, dentist, dental hygienist, chiropractor, optometrist, podiatric
35 physician, medical examiner, resident, intern, professional or practical nurse,
36 nursing assistant, medication aide - certified, perfusionist, physician assistant
37 licensed pursuant to chapter 630 or 633 of NRS, psychiatrist, psychologist,
38 marriage and family therapist, clinical professional counselor, alcohol or drug
39 counselor, **peer recovery support specialist, peer recovery support specialist**
40 **supervisor**, music therapist, holder of a license or limited license issued pursuant to
41 chapter 653 of NRS, driver of an ambulance, paramedic or other person providing
42 medical services licensed or certified to practice in this State.

43 (b) Any personnel of a medical facility or facility for the dependent engaged in
44 the admission, examination, care or treatment of persons or an administrator,
45 manager or other person in charge of a medical facility or facility for the dependent
46 upon notification by a member of the staff of the facility.

47 (c) A coroner.

48 (d) Any person who maintains or is employed by an agency to provide
49 personal care services in the home.

50 (e) Any person who operates, who is employed by or who contracts to provide
51 services for an intermediary service organization as defined in NRS 449.4304.

52 (f) Any person who maintains or is employed by an agency to provide nursing
53 in the home.

1 (g) Any employee of the Department of Health and Human Services.

2 (h) Any employee of a law enforcement agency or a county's office for
3 protective services or an adult or juvenile probation officer.

4 (i) Any person who maintains or is employed by a facility or establishment that
5 provides care for older persons.

6 (j) Any person who maintains, is employed by or serves as a volunteer for an
7 agency or service which advises persons regarding the abuse, neglect or
8 exploitation of an older person and refers them to persons and agencies where their
9 requests and needs can be met.

10 (k) Any social worker.

11 (l) Any person who operates or is employed by a community health worker
12 pool or with whom a community health worker pool contracts to provide the
13 services of a community health worker, as defined in NRS 449.0027.

14 ~~[(m) Any person who operates or is employed by a peer support recovery
15 organization.]~~

16 2. Every physician who, as a member of the staff of a medical facility or
17 facility for the dependent, has reason to believe that a nursing assistant or
18 medication aide - certified has engaged in conduct which constitutes grounds for
19 the denial, suspension or revocation of a certificate shall notify the superintendent,
20 manager or other person in charge of the facility. The superintendent, manager or
21 other person in charge shall make a report as required in subsection 1.

22 3. A report may be filed by any other person.

23 4. Any person who in good faith reports any violation of the provisions of this
24 chapter to the Executive Director of the Board pursuant to this section is immune
25 from civil liability for reporting the violation.

26 5. As used in this section:

27 (a) "Agency to provide personal care services in the home" has the meaning
28 ascribed to it in NRS 449.0021.

29 (b) "Community health worker pool" has the meaning ascribed to it in NRS
30 449.0028.

31 ~~(c) ["Peer support recovery organization" has the meaning ascribed to it in
32 NRS 449.01563~~

33 ~~—(d)] "Peer recovery support specialist" has the meaning ascribed to it in
34 section 6 of this act.~~

35 ~~[(e)] (d) "Peer recovery support specialist supervisor" has the meaning
36 ascribed to it in section 7 of this act.~~

37 **Sec. 29.** NRS 641.029 is hereby amended to read as follows:

38 641.029 The provisions of this chapter do not apply to:

39 1. A physician who is licensed to practice in this State;

40 2. A person who is licensed to practice dentistry in this State;

41 3. A person who is licensed as a marriage and family therapist or marriage
42 and family therapist intern pursuant to chapter 641A of NRS;

43 4. A person who is licensed as a clinical professional counselor or clinical
44 professional counselor intern pursuant to chapter 641A of NRS;

45 5. A person who is licensed to engage in social work pursuant to chapter
46 641B of NRS;

47 6. A person who is licensed as an occupational therapist or occupational
48 therapy assistant pursuant to NRS 640A.010 to 640A.230, inclusive;

49 7. A person who is licensed as a clinical alcohol and drug counselor, licensed
50 or certified as an alcohol and drug counselor or certified as an alcohol and drug
51 counselor intern, a clinical alcohol and drug counselor intern, a problem gambling
52 counselor or a problem gambling counselor intern, pursuant to chapter 641C of
53 NRS;

1 8. *A person who provides or supervises the provision of peer recovery*
2 *support services in accordance with the provisions of sections 2 to 15.7, inclusive,*
3 *of this act;*

4 9. A person who is licensed as a behavior analyst or an assistant behavior
5 analyst or registered as a registered behavior technician pursuant to chapter 437 of
6 NRS, while engaged in the practice of applied behavior analysis as defined in NRS
7 437.040; or

8 ~~9.~~ 10. Any member of the clergy,
9 ↳ if such a person does not commit an act described in NRS 641.440 or represent
10 himself or herself as a psychologist.

11 **Sec. 30.** NRS 641B.040 is hereby amended to read as follows:

12 641B.040 The provisions of this chapter do not apply to:

13 1. A physician who is licensed to practice in this State;

14 2. A nurse who is licensed to practice in this State;

15 3. A person who is licensed as a psychologist pursuant to chapter 641 of NRS
16 or authorized to practice psychology in this State pursuant to the Psychology
17 Interjurisdictional Compact enacted in NRS 641.227;

18 4. A person who is licensed as a marriage and family therapist or marriage
19 and family therapist intern pursuant to chapter 641A of NRS;

20 5. A person who is licensed as a clinical professional counselor or clinical
21 professional counselor intern pursuant to chapter 641A of NRS;

22 6. A person who is licensed as an occupational therapist or occupational
23 therapy assistant pursuant to NRS 640A.010 to 640A.230, inclusive;

24 7. A person who is licensed as a clinical alcohol and drug counselor, licensed
25 or certified as an alcohol and drug counselor or certified as a clinical alcohol and
26 drug counselor intern, an alcohol and drug counselor intern, a problem gambling
27 counselor or a problem gambling counselor intern, pursuant to chapter 641C of
28 NRS;

29 8. *A person who provides or supervises the provision of peer recovery*
30 *support services in accordance with sections 2 to 15.7, inclusive, of this act;*

31 9. Any member of the clergy;

32 ~~9.~~ 10. A county welfare director;

33 ~~10.~~ 11. Any person who may engage in social work or clinical social work
34 in his or her regular governmental employment but does not hold himself or herself
35 out to the public as a social worker; or

36 ~~11.~~ 12. A student of social work and any other person preparing for the
37 profession of social work under the supervision of a qualified social worker in a
38 training institution or facility recognized by the Board, unless the student or other
39 person has been issued a provisional license pursuant to paragraph (b) of subsection
40 1 of NRS 641B.275. Such a student must be designated by the title “student of
41 social work” or “trainee in social work,” or any other title which clearly indicates
42 the student’s training status.

43 **Sec. 31.** NRS 641C.130 is hereby amended to read as follows:

44 641C.130 The provisions of this chapter do not apply to:

45 1. A physician who is licensed pursuant to the provisions of chapter 630 or
46 633 of NRS;

47 2. A nurse who is licensed pursuant to the provisions of chapter 632 of NRS
48 and is authorized by the State Board of Nursing to engage in the practice of
49 counseling persons with alcohol and other substance use disorders or the practice of
50 counseling persons with an addictive disorder related to gambling;

51 3. A psychologist who is licensed pursuant to the provisions of chapter 641 of
52 NRS or authorized to practice psychology in this State pursuant to the Psychology
53 Interjurisdictional Compact enacted in NRS 641.227;

1 4. A clinical professional counselor or clinical professional counselor intern
2 who is licensed pursuant to chapter 641A of NRS;

3 5. A marriage and family therapist or marriage and family therapist intern
4 who is licensed pursuant to the provisions of chapter 641A of NRS and is
5 authorized by the Board of Examiners for Marriage and Family Therapists and
6 Clinical Professional Counselors to engage in the practice of counseling persons
7 with alcohol and other substance use disorders or the practice of counseling persons
8 with an addictive disorder related to gambling; ~~for~~

9 6. A person who is licensed as a clinical social worker pursuant to the
10 provisions of chapter 641B of NRS and is authorized by the Board of Examiners for
11 Social Workers to engage in the practice of counseling persons with alcohol and
12 other substance use disorders or the practice of counseling persons with an
13 addictive disorder related to gambling ~~for~~; or

14 *7. A person who provides or supervises the provision of peer recovery*
15 *support services in accordance with sections 2 to 15.7, inclusive, of this act.*

16 **Sec. 31.5.** Section 8 of this act is hereby amended to read as follows:

17 Sec. 8. 1. Except as authorized by subsection 2, an adult shall not:

18 (a) Provide peer recovery support services for compensation as a
19 regular part of his or her job duties or hold himself or herself out as
20 authorized to provide peer recovery support services unless he or she holds
21 a valid certificate as a peer recovery support specialist issued by the
22 ~~[Nevada Certification Board or its successor organization.] Division.~~

23 (b) Supervise the provision of peer recovery support services for
24 compensation as a regular part of his or her job duties or hold himself or
25 herself out as authorized to supervise the provision of peer recovery support
26 services unless he or she holds a valid certificate as a peer recovery support
27 specialist supervisor issued by the ~~[Nevada Certification Board or its~~
28 ~~successor organization.] Division.~~

29 2. ~~[If the Nevada Certification Board or its successor organization~~
30 ~~establishes] *The Division may adopt regulations establishing* conditions
31 ~~[governing the provision of peer recovery support services by] *under which*~~
32 ~~an adult who is not certified as a peer recovery support specialist [while the~~
33 ~~person is acquiring the experience necessary for certification as a peer~~
34 ~~recovery support specialist, an adult who is not certified as a peer recovery~~
35 ~~support specialist] may:~~~~

36 (a) Provide peer recovery support services to adults for compensation
37 as a regular part of his or her job duties ~~[under those conditions;] *while*~~
38 ~~*acquiring the experience necessary for certification;*~~ and

39 (b) Use the title of “peer recovery support specialist ~~[intern]” while~~
40 ~~providing peer recovery support services under those conditions.] *intern.*”~~

41 3. The Division may impose upon an adult who violates this section a
42 civil penalty in an amount prescribed by regulation of the Board.

43 **Sec. 32.** 1. On or before September 30, 2021, the board of trustees of each
44 school district and the governing body of each charter school shall submit to the
45 Department of Education a report that describes any curriculum or program
46 concerning substance misuse and substance use disorders used or offered in the
47 school district or charter school, as applicable, during the immediately preceding
48 school year.

49 2. On or before October 31, 2021, the Department of Education shall submit
50 to the Director of the Legislative Counsel Bureau for transmittal to the Legislative
51 Committee on Education created by NRS 218E.605 a report that summarizes the
52 information contained in the reports submitted to the Department pursuant to
53 subsection 1.

1 **Sec. 33.** 1. Notwithstanding any provision of this act to the contrary, any
2 ~~person~~ **adult** who provides or supervises the provision of peer recovery support
3 services ~~to adults~~ as a regular part of his or her job duties on or before January 1,
4 2022, may continue to do so without obtaining a certificate from the Nevada
5 Certification Board or its successor organization as required by section 8 of this act
6 until July 31, 2023. To provide or supervise peer recovery support services on or
7 after August 1, 2023, such ~~a person~~ **an adult** must obtain a certificate from that
8 organization as required by section 8 of this act.

9 2. Notwithstanding any provision of this act to the contrary, ~~any person~~ **an**
10 **adult** who holds a valid certification as a peer recovery support specialist or peer
11 recovery support specialist supervisor issued by the Nevada Certification Board or
12 its successor organization on the date on which that organization ceases certifying
13 peer recovery support specialists or peer recovery support specialist supervisors
14 may provide or supervise the provision of peer recovery support services ~~to adults~~
15 as a regular part of his or her job duties without being certified by the Division of
16 Public and Behavioral Health of the Department of Health and Human Services
17 until 6 months after the date on which the Division begins certifying peer recovery
18 support specialists and peer recovery support specialist supervisors pursuant to the
19 regulations adopted by the State Board of Health pursuant to section 9 of this act.
20 To provide or supervise the provision of peer recovery support services ~~to adults~~
21 as a regular part of his or her job duties after that date, such ~~a person~~ **an adult**
22 must obtain a certificate from the Division as required by section 8 of this act, as
23 amended by section 31.5 of this act.

24 3. As used in this section, “peer recovery support services” has the meaning
25 ascribed to it in section 5 of this act.

26 **Sec. 34.** (Deleted by amendment.)

27 **Sec. 34.5.** Any regulations adopted by the State Board of Health pursuant to
28 NRS 449.0302 governing peer support recovery organizations are void. The
29 Legislative Counsel shall remove those regulations from the Nevada Administrative
30 Code as soon as practicable after January 1, 2022.

31 **Sec. 35.** The provisions of NRS 354.599 do not apply to any additional
32 expenses of a local government that are related to the provisions of this act.

33 **Sec. 36.** NRS 449.01563, 449.01566, 449.03015, 449A.060 and 449A.062
34 are hereby repealed.

35 **Sec. 37.** 1. This section becomes effective upon passage and approval.

36 2. Sections 18.5, 19, 20 and 32 of this act become effective on July 1, 2021.

37 3. Sections 1 to 3, inclusive, 5 to 8, inclusive, 15 to 17, inclusive, 20.3 to 31,
38 inclusive, and 33 to 36, inclusive, of this act become effective:

39 (a) Upon passage and approval for the purpose of adopting regulations and
40 performing any other preparatory administrative tasks that are necessary to carry
41 out the provisions of this act; and

42 (b) On January 1, 2022, for all other purposes.

43 4. Sections 4, 9 to 14, inclusive, 18 and 31.5 of this act become effective on
44 the date on which the Nevada Certification Board, or its successor organization,
45 ceases certifying peer recovery support specialists or peer recovery support
46 specialist supervisors.

47 5. Sections 10 and 11 of this act expire by limitation on the date on which the
48 provisions of 42 U.S.C. § 666 requiring each state to establish procedures under
49 which the state has authority to withhold or suspend, or to restrict the use of
50 professional, occupational and recreational licenses of persons who:

51 (a) Have failed to comply with the subpoena or warrant relating to a
52 proceeding to determine the paternity of a child or to establish or enforce an
53 obligation for the support of a child; or

- 1 (b) Are in arrears in the payment for the support of one or more children,
2 ➤ are repealed by the Congress of the United States.

LEADLINES OF REPEALED SECTIONS

- 449.01563** “Peer support recovery organization” defined.
449.01566 “Peer support services” defined.
449.03015 Facility for the dependent or medical facility that employs providers of peer support services not required to obtain additional license.
449A.060 “Peer support recovery organization” defined.
449A.062 “Peer support services” defined.