

Amendment No. 24

Assembly Amendment to Assembly Bill No. 121	(BDR 16-138)
<b>Proposed by:</b> Assemblywoman Considine	
<b>Amendment Box:</b> Consistent with Amendment No. 23.	
<b>Amends:</b> Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: No	

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.





ASSEMBLY BILL NO. 121—ASSEMBLYWOMEN CONSIDINE,  
~~AND~~ ANDERSON, GONZÁLEZ AND SUMMERS-ARMSTRONG

FEBRUARY 9, 2023

Referred to Committee on Judiciary

SUMMARY—Revises provisions relating to incarcerated persons. (BDR 16-138)

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

~

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

AN ACT relating to incarcerated persons; requiring institutions and facilities of the Department of Corrections and city or county jails and detention facilities to provide incarcerated persons with original, physical copies of mail under certain circumstances; requiring such institutions, facilities and jails to provide notification to certain persons of a serious or critical medical condition of an incarcerated person; requiring such institutions, facilities and jails to ensure the timely filling of prescriptions; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law requires the Director of the Department of Corrections to establish regulations with the approval of the Board of State Prison Commissioners, including regulations relating to the custody, care, training, health and safety of offenders. (NRS 209.131) **Section 2** of this bill requires the Department to provide to an offender the original, physical copy of any physical mail addressed to the offender that the offender is entitled and allowed to receive. **Section 3** of this bill requires the Department to ensure that an offender completes a medical release of information form at the time of intake and has the ability to update the completed form as necessary. If an offender in the custody of the Department is hospitalized for or diagnosed with a serious or critical medical condition, **section 3** requires the Department, within 4 hours of such hospitalization or diagnosis, to attempt to inform all persons authorized by the current medical release of information form about the health status of the offender.

**Section 4** of this bill requires the Department to ensure that if an offender requires prescription medication, the prescription will be filled in a timely manner.

**Sections 6-8** of this bill impose upon county and city jails and detention facilities requirements similar to those contained in **sections 2-4**.

**Section 9** of this bill requires the Department to revise its regulations to conform with the provisions of **sections 2-4**.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18

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

1       **Section 1.** Chapter 209 of NRS is hereby amended by adding thereto the  
2 provisions set forth as sections 2, 3 and 4 of this act.

3       **Sec. 2. 1.** *An institution or facility shall provide an offender with the*  
4 *original, physical copy of any mail addressed to the offender that the offender is*  
5 *entitled and allowed to receive.*

6       2. *As used in this section, "original, physical copy" means a letter, card or*  
7 *other document received by the institution or facility from the United States*  
8 *Postal Service or other delivery service. The term does not include mail that is*  
9 *scanned, photocopied or otherwise duplicated by the institution or facility or any*  
10 *entity contracted by the institution or facility to provide such a service.*

11       **Sec. 3. 1.** *The Department shall ensure that each offender:*

12       (a) *Completes a medical release of information form at the time of intake;*  
13 *and*

14       (b) *Has the ability to update a completed medical release of information form*  
15 *as necessary.*

16       2. *If an offender in the custody of the Department is hospitalized for or*  
17 *diagnosed with a serious or critical medical condition, the Department shall,*  
18 *within 4 hours of such hospitalization or diagnosis, attempt to inform all persons*  
19 *authorized by the current medical release of information form about the health*  
20 *status of the offender.*

21       3. *As used in this section, "serious or critical medical condition" means:*

22       (a) *A condition diagnosed by a provider of health care that:*

23       (1) *Is terminal; or*

24       (2) *Requires life-sustaining medical treatment; or*

25       (b) *An injury or illness that requires an offender to be admitted to a hospital*  
26 *for treatment.*

27       **Sec. 4.** *If an offender in the custody of the Department requires*  
28 *prescription medication for any physical or mental illness, the Department shall*  
29 *ensure that:*

30       1. *If the prescription is new, the prescription is transmitted to a licensed*  
31 *pharmacy and filled as soon as possible; or*

32       2. *If the prescription is a refill, the prescription is refilled on or before the*  
33 *date on which the current supply of the prescription medication is exhausted.*

34       **Sec. 5.** Chapter 211 of NRS is hereby amended by adding thereto the  
35 provisions set forth as sections 6, 7 and 8 of this act.

36       **Sec. 6. 1.** *A county or city jail or detention facility shall provide a*  
37 *prisoner the original, physical copy of any mail addressed to the prisoner that the*  
38 *prisoner is entitled and allowed to receive.*

39       2. *As used in this section, "original, physical copy" means a letter, card or*  
40 *other document received by the jail or detention facility from the United States*  
41 *Postal Service or other delivery service. The term does not include mail that is*  
42 *scanned, photocopied or otherwise duplicated by the jail or detention facility or*  
43 *any entity contracted by the jail or detention facility to provide such a service.*

44       **Sec. 7. 1.** *Each county or city jail or detention facility shall ensure that*  
45 *each prisoner:*

46       (a) *Completes a medical release of information form at the time of intake;*  
47 *and*

48       (b) *Has the ability to update a completed medical release of information form*  
49 *as necessary.*

1           2. *If a prisoner in the custody of a jail or detention facility is hospitalized*  
2 *for or diagnosed with a serious or critical medical condition, the jail or detention*  
3 *facility shall, within 4 hours of such hospitalization or diagnosis, attempt to*  
4 *inform all persons listed on the current medical release of information form*  
5 *about the health status of the prisoner.*

6           3. *As used in this section, "serious or critical medical condition" means:*

7           (a) *A condition diagnosed by a provider of health care that:*

8               (1) *Is terminal; or*

9               (2) *Requires life-sustaining medical treatment; or*

10           (b) *An injury or illness that requires a prisoner to be admitted to a hospital*  
11 *for treatment.*

12           **Sec. 8.** *If a prisoner in the custody of a county or city jail or detention*  
13 *facility requires prescription medication for any physical or mental illness, the*  
14 *jail or detention facility shall ensure that:*

15           1. *If the prescription is new, the prescription is transmitted to a licensed*  
16 *pharmacy and filled as soon as possible; or*

17           2. *If the prescription is a refill, the prescription is refilled on or before the*  
18 *date on which the current supply of the prescription medication is exhausted.*

19           **Sec. 9.** The Department of Corrections shall, as soon as practicable, amend or  
20 repeal any existing regulations that conflict or are inconsistent with the provisions  
21 of sections 2, 3 and 4 of this act.