

Amendment No. 641

Senate Amendment to Assembly Bill No. 198 First Reprint (BDR 54-446)
Proposed by: Senate Committee on Commerce and Labor
Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes

Adoption of this amendment will MAINTAIN the 2/3s majority vote requirement for final passage of A.B. 198 R1 (§§ 5, 10, 16 & NRS 453.221, 453.226, 639.170).
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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.

DAN/EWR



Date: 5/23/2023

A.B. No. 198—Revises provisions governing health care. (BDR 54-446)



ASSEMBLY BILL NO. 198—ASSEMBLYMAN ORENTLICHER

FEBRUARY 20, 2023

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions governing health care. (BDR 54-446)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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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 health care; enacting provisions governing the certification and regulation of certified registered nurse anesthetists; authorizing a certified registered nurse anesthetist to order, prescribe, possess and administer controlled substances, poisons, dangerous drugs and devices under certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law provides for the certification of certified registered nurse anesthetists, who are registered nurses who: (1) have completed a nationally accredited program in the science of anesthesia; and (2) administer anesthetic agents to a person under the care of a licensed physician, a licensed dentist or a licensed podiatric physician. (NRS 632.014) **Section 2** of this bill requires the State Board of Nursing to issue a certificate of registration to practice as a certified registered nurse anesthetist to a registered nurse who meets the requirements prescribed by existing law for such certification and any additional requirements prescribed by the Board. **Section 2** also requires the Board to adopt regulations governing certified registered nurse anesthetists.

Existing law authorizes a registered nurse to possess and administer controlled substances and dangerous drugs under certain circumstances. (NRS 453.375, 454.213) **Sections 3, 5, 10 and 16** of this bill additionally authorize a certified registered nurse anesthetist, under the supervision of a physician licensed to practice medicine or osteopathic medicine in this State, to order, prescribe, possess and administer controlled substances, poisons, dangerous drugs and devices to treat a person under the care of a licensed physician ~~[, a licensed dentist or a licensed podiatric physician]~~ **in a critical access hospital** before, during and after surgery or childbirth. **Sections 6-9 and 11-15** of this bill make additional changes necessary to authorize a certified registered nurse anesthetist to order, prescribe, possess and administer controlled substances, poisons, dangerous drugs and devices in such circumstances. A certified registered nurse anesthetist who unlawfully possesses, prescribes or administers a controlled substance, dangerous drug or poison would be subject to discipline and criminal and civil penalties to the same extent as other practitioners who unlawfully possess, prescribe or administer such drugs. (NRS 453.236, 453.305, 453.326, 453.3363, 453.553, 454.170, 454.356)

Section 4 of this bill makes a conforming change to remove a provision now duplicated in **section 2**.

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

1 **Section 1.** Chapter 632 of NRS is hereby amended by adding thereto the
2 provisions set forth as sections 2 and 3 of this act.

3 **Sec. 2. 1.** *The Board shall issue a certificate of registration to practice as*
4 *a certified registered nurse anesthetist to an applicant who:*

5 *(a) Has successfully completed a nationally accredited program in the*
6 *science of anesthesia; and*

7 *(b) Meets any additional requirements prescribed by the Board pursuant to*
8 *subsection 2.*

9 **2.** *The Board shall adopt regulations to carry out the provisions of this*
10 *section and section 3 of this act, including, without limitation, regulations:*

11 *(a) Specifying any additional training, education and experience necessary*
12 *for certification as a certified registered nurse anesthetist;*

13 *(b) Delineating the authorized scope of practice of a certified registered*
14 *nurse anesthetist; and*

15 *(c) Establishing the procedure to apply for certification as a certified*
16 *registered nurse anesthetist.*

17 **Sec. 3. 1.** *A certified registered nurse anesthetist may:*

18 ~~*1. Order;*~~

19 *(a) Under the supervision of a physician licensed pursuant to chapter 630 or*
20 *633 of NRS, order, prescribe, possess and administer controlled substances,*
21 *poisons, dangerous drugs and devices to treat a patient under the care of a*
22 *licensed physician ~~[, a licensed dentist or a licensed podiatric physician]~~ in a*
23 *critical access hospital in preparation for surgery or childbirth, during surgery or*
24 *childbirth and while a patient recovers from surgery or childbirth.*

25 ~~*(b) Possess and administer controlled substances, poisons, dangerous*~~
26 *drugs and devices in other circumstances under which a registered nurse is*
27 *authorized to possess and administer controlled substances, poisons, dangerous*
28 *drugs and devices.*

29 **2.** *A certified registered nurse anesthetist shall not order or prescribe a*
30 *controlled substance, poison, dangerous drug or device except as authorized by*
31 *paragraph (a) of subsection 1.*

32 **3.** *As used in this section, "critical access hospital" means a hospital which*
33 *has been certified as a critical access hospital by the Secretary of Health and*
34 *Human Services pursuant to 42 U.S.C. 1395i-4(e).*

35 **Sec. 4.** NRS 632.014 is hereby amended to read as follows:

36 632.014 "Certified registered nurse anesthetist" means a registered nurse who

37 ~~*1.*~~

38 ~~*1. Has completed a nationally accredited program in the science of anesthesia;*~~
39 ~~*and*~~

40 ~~*2. Is*~~ *is certified by the Board pursuant to section 2 of this act to administer*
41 *anesthetic agents to a person under the care of a licensed physician, a licensed*
42 *dentist or a licensed podiatric physician.*

43 **Sec. 5.** NRS 639.0125 is hereby amended to read as follows:

44 639.0125 "Practitioner" means:

45 1. A physician, dentist, veterinarian or podiatric physician who holds a license
46 to practice his or her profession in this State;

47 2. A hospital, pharmacy or other institution licensed, registered or otherwise
48 permitted to distribute, dispense, conduct research with respect to or administer
49 drugs in the course of professional practice or research in this State;

1 3. An advanced practice registered nurse who has been authorized to
2 prescribe controlled substances, poisons, dangerous drugs and devices;

3 4. A physician assistant who:

4 (a) Holds a license issued by the Board of Medical Examiners; and

5 (b) Is authorized by the Board to possess, administer, prescribe or dispense
6 controlled substances, poisons, dangerous drugs or devices under the supervision of
7 a physician as required by chapter 630 of NRS;

8 5. A physician assistant who:

9 (a) Holds a license issued by the State Board of Osteopathic Medicine; and

10 (b) Is authorized by the Board to possess, administer, prescribe or dispense
11 controlled substances, poisons, dangerous drugs or devices under the supervision of
12 an osteopathic physician as required by chapter 633 of NRS; or

13 6. An optometrist who is certified by the Nevada State Board of Optometry to
14 prescribe and administer pharmaceutical agents pursuant to NRS 636.288, when the
15 optometrist prescribes or administers pharmaceutical agents within the scope of his
16 or her certification.

17 7. *A certified registered nurse anesthetist who orders, prescribes, possesses*
18 *or administers controlled substances, poisons, dangerous drugs or devices in*
19 *accordance with section 3 of this act.*

20 **Sec. 6.** Chapter 453 of NRS is hereby amended by adding thereto a new
21 section to read as follows:

22 *“Certified registered nurse anesthetist” has the meaning ascribed to it in NRS*
23 *632.014.*

24 **Sec. 7.** NRS 453.016 is hereby amended to read as follows:

25 453.016 As used in this chapter, the words and terms defined in NRS 453.021
26 to 453.141, inclusive, *and section 6 of this act* have the meanings ascribed to them
27 in those sections except in instances where the context clearly indicates a different
28 meaning.

29 **Sec. 8.** NRS 453.038 is hereby amended to read as follows:

30 453.038 “Chart order” means an order entered on the chart of a patient:

31 1. In a hospital, facility for intermediate care or facility for skilled nursing
32 which is licensed as such by the Division of Public and Behavioral Health of the
33 Department; or

34 2. Under emergency treatment in a hospital by a physician, advanced practice
35 registered nurse, *certified registered nurse anesthetist*, dentist or podiatric
36 physician, or on the written or oral order of a physician, physician assistant licensed
37 pursuant to chapter 630 or 633 of NRS, advanced practice registered nurse,
38 *certified registered nurse anesthetist*, dentist or podiatric physician authorizing the
39 administration of a drug to the patient.

40 **Sec. 9.** NRS 453.091 is hereby amended to read as follows:

41 453.091 1. “Manufacture” means the production, preparation, propagation,
42 compounding, conversion or processing of a substance, either directly or indirectly
43 by extraction from substances of natural origin, or independently by means of
44 chemical synthesis, or by a combination of extraction and chemical synthesis, and
45 includes any packaging or repackaging of the substance or labeling or relabeling of
46 its container.

47 2. “Manufacture” does not include the preparation, compounding, packaging
48 or labeling of a substance by a pharmacist, physician, physician assistant licensed
49 pursuant to chapter 630 or 633 of NRS, dentist, podiatric physician, advanced
50 practice registered nurse, *certified registered nurse anesthetist* or veterinarian:

51 (a) As an incident to the administering or dispensing of a substance in the
52 course of his or her professional practice; or

1 (b) By an authorized agent under his or her supervision, for the purpose of, or
2 as an incident to, research, teaching or chemical analysis and not for sale.

3 **Sec. 10.** NRS 453.126 is hereby amended to read as follows:

4 453.126 “Practitioner” means:

5 1. A physician, dentist, veterinarian or podiatric physician who holds a license
6 to practice his or her profession in this State and is registered pursuant to this
7 chapter.

8 2. An advanced practice registered nurse who holds a certificate from the
9 State Board of Pharmacy authorizing him or her to dispense or to prescribe and
10 dispense controlled substances.

11 3. A scientific investigator or a pharmacy, hospital or other institution
12 licensed, registered or otherwise authorized in this State to distribute, dispense,
13 conduct research with respect to, to administer, or use in teaching or chemical
14 analysis, a controlled substance in the course of professional practice or research.

15 4. A euthanasia technician who is licensed by the Nevada State Board of
16 Veterinary Medical Examiners and registered pursuant to this chapter, while he or
17 she possesses or administers sodium pentobarbital pursuant to his or her license and
18 registration.

19 5. A physician assistant who:

20 (a) Holds a license from the Board of Medical Examiners; and

21 (b) Is authorized by the Board to possess, administer, prescribe or dispense
22 controlled substances under the supervision of a physician as required by chapter
23 630 of NRS.

24 6. A physician assistant who:

25 (a) Holds a license from the State Board of Osteopathic Medicine; and

26 (b) Is authorized by the Board to possess, administer, prescribe or dispense
27 controlled substances under the supervision of an osteopathic physician as required
28 by chapter 633 of NRS.

29 7. An optometrist who is certified by the Nevada State Board of Optometry to
30 prescribe and administer pharmaceutical agents pursuant to NRS 636.288, when the
31 optometrist prescribes or administers pharmaceutical agents within the scope of his
32 or her certification.

33 **8. *A certified registered nurse anesthetist who orders, prescribes, possesses***
34 ***or administers controlled substances in accordance with section 3 of this act.***

35 **Sec. 11.** NRS 453.128 is hereby amended to read as follows:

36 453.128 1. “Prescription” means:

37 (a) An order given individually for the person for whom prescribed, directly
38 from a physician, physician assistant licensed pursuant to chapter 630 or 633 of
39 NRS, dentist, podiatric physician, optometrist, advanced practice registered nurse ,
40 ***certified registered nurse anesthetist*** or veterinarian, or his or her agent, to a
41 pharmacist or indirectly by means of an order signed by the practitioner or an
42 electronic transmission from the practitioner to a pharmacist; or

43 (b) A chart order written for an inpatient specifying drugs which he or she is to
44 take home upon his or her discharge.

45 2. The term does not include a chart order written for an inpatient for use
46 while he or she is an inpatient.

47 **Sec. 12.** NRS 453.226 is hereby amended to read as follows:

48 453.226 1. Every practitioner or other person who dispenses any controlled
49 substance within this State or who proposes to engage in the dispensing of any
50 controlled substance within this State shall obtain biennially a registration issued by
51 the Board in accordance with its regulations. A person must present proof that he or
52 she is authorized to access the database of the program established pursuant to NRS
53 453.162 before the Board may issue or renew a registration.

1 2. A person registered by the Board in accordance with the provisions of NRS
2 453.011 to 453.552, inclusive, **and section 6 of this act** to dispense or conduct
3 research with controlled substances may possess, dispense or conduct research with
4 those substances to the extent authorized by the registration and in conformity with
5 the other provisions of those sections.

6 3. The following persons are not required to register and may lawfully
7 possess and distribute controlled substances pursuant to the provisions of NRS
8 453.011 to 453.552, inclusive **and section 6 of this act**:

9 (a) An agent or employee of a registered dispenser of a controlled substance if
10 he or she is acting in the usual course of his or her business or employment;

11 (b) A common or contract carrier or warehouseman, or an employee thereof,
12 whose possession of any controlled substance is in the usual course of business or
13 employment;

14 (c) An ultimate user or a person in possession of any controlled substance
15 pursuant to a lawful order of a physician, physician assistant licensed pursuant to
16 chapter 630 or 633 of NRS, dentist, advanced practice registered nurse, **certified**
17 **registered nurse anesthetist**, podiatric physician or veterinarian or in lawful
18 possession of a schedule V substance; or

19 (d) A physician who:

20 (1) Holds a locum tenens license issued by the Board of Medical
21 Examiners or a temporary license issued by the State Board of Osteopathic
22 Medicine; and

23 (2) Is registered with the Drug Enforcement Administration at a location
24 outside this State.

25 4. The Board may waive the requirement for registration of certain dispensers
26 if it finds it consistent with the public health and safety.

27 5. A separate registration is required at each principal place of business or
28 professional practice where the applicant dispenses controlled substances.

29 6. The Board may inspect the establishment of a registrant or applicant for
30 registration in accordance with the Board's regulations.

31 **Sec. 13.** NRS 453.336 is hereby amended to read as follows:

32 453.336 1. Except as otherwise provided in subsection 6, a person shall not
33 knowingly or intentionally possess a controlled substance, unless the substance was
34 obtained directly from, or pursuant to, a prescription or order of a physician,
35 physician assistant licensed pursuant to chapter 630 or 633 of NRS, dentist,
36 podiatric physician, optometrist, advanced practice registered nurse, **certified**
37 **registered nurse anesthetist** or veterinarian while acting in the course of his or her
38 professional practice, or except as otherwise authorized by the provisions of NRS
39 453.005 to 453.552, inclusive **and section 6 of this act**.

40 2. Except as otherwise provided in subsections 3, 4 and 5 and in NRS
41 453.3363, and unless a greater penalty is provided in NRS 212.160, 453.3385 or
42 453.339, a person who violates this section:

43 (a) For a first or second offense, if the controlled substance is listed in schedule
44 I or II and the quantity possessed is less than 14 grams, or if the controlled
45 substance is listed in schedule III, IV or V and the quantity possessed is less than 28
46 grams, is guilty of possession of a controlled substance and shall be punished for a
47 category E felony as provided in NRS 193.130. In accordance with NRS 176.211,
48 the court shall defer judgment upon the consent of the person.

49 (b) For a third or subsequent offense, if the controlled substance is listed in
50 schedule I or II and the quantity possessed is less than 14 grams, or if the controlled
51 substance is listed in schedule III, IV or V and the quantity possessed is less than 28
52 grams, or if the offender has previously been convicted two or more times in the
53 aggregate of any violation of the law of the United States or of any state, territory

1 or district relating to a controlled substance, is guilty of possession of a controlled
2 substance and shall be punished for a category D felony as provided in NRS
3 193.130, and may be further punished by a fine of not more than \$20,000.

4 (c) If the controlled substance is listed in schedule I or II and the quantity
5 possessed is 14 grams or more, but less than 28 grams, or if the controlled
6 substance is listed in schedule III, IV or V and the quantity possessed is 28 grams
7 or more, but less than 200 grams, is guilty of low-level possession of a controlled
8 substance and shall be punished for a category C felony as provided in NRS
9 193.130.

10 (d) If the controlled substance is listed in schedule I or II and the quantity
11 possessed is 28 grams or more, but less than 42 grams, or if the controlled
12 substance is listed in schedule III, IV or V and the quantity possessed is 200 grams
13 or more, is guilty of mid-level possession of a controlled substance and shall be
14 punished for a category B felony by imprisonment in the state prison for a
15 minimum term of not less than 1 year and a maximum term of not more than 10
16 years and by a fine of not more than \$50,000.

17 (e) If the controlled substance is listed in schedule I or II and the quantity
18 possessed is 42 grams or more, but less than 100 grams, is guilty of high-level
19 possession of a controlled substance and shall be punished for a category B felony
20 by imprisonment in the state prison for a minimum term of not less than 2 years and
21 a maximum term of not more than 15 years and by a fine of not more than \$50,000.

22 3. Unless a greater penalty is provided in NRS 212.160, 453.337 or 453.3385,
23 a person who is convicted of the possession of flunitrazepam or gamma-
24 hydroxybutyrate, or any substance for which flunitrazepam or gamma-
25 hydroxybutyrate is an immediate precursor, is guilty of a category B felony and
26 shall be punished by imprisonment in the state prison for a minimum term of not
27 less than 1 year and a maximum term of not more than 6 years.

28 4. Unless a greater penalty is provided pursuant to NRS 212.160, a person
29 who is convicted of the possession of 1 ounce or less of marijuana is guilty of a
30 misdemeanor and shall be punished by:

31 (a) Performing not more than 24 hours of community service;

32 (b) Attending the live meeting described in paragraph (a) of subsection 2 of
33 NRS 484C.530 and complying with any other requirements set forth in that section;
34 or

35 (c) Being required to undergo an evaluation in accordance with subsection 1 of
36 NRS 484C.350,

37 or any combination thereof.

38 5. Unless a greater penalty is provided pursuant to NRS 212.160, a person
39 who is convicted of the possession of more than 1 ounce, but less than 50 pounds,
40 of marijuana or more than one-eighth of an ounce, but less than one pound, of
41 concentrated cannabis is guilty of a category E felony and shall be punished as
42 provided in NRS 193.130.

43 6. It is not a violation of this section if a person possesses a trace amount of a
44 controlled substance and that trace amount is in or on a hypodermic device obtained
45 from a sterile hypodermic device program pursuant to NRS 439.985 to 439.994,
46 inclusive.

47 7. The court may grant probation to or suspend the sentence of a person
48 convicted of violating this section.

49 8. If a person fulfills the terms and conditions imposed for a violation of
50 subsection 4, the court shall, without a hearing, order sealed all documents, papers
51 and exhibits in that person's record, minute book entries and entries on dockets, and
52 other documents relating to the case in the custody of such other agencies and
53 officers as are named in the court's order. The court shall cause a copy of the order

1 to be sent to each agency or officer named in the order. Each such agency or officer
2 shall notify the court in writing of its compliance with the order.

3 9. As used in this section:

4 (a) "Controlled substance" includes flunitrazepam, gamma-hydroxybutyrate
5 and each substance for which flunitrazepam or gamma-hydroxybutyrate is an
6 immediate precursor.

7 (b) "Marijuana" does not include concentrated cannabis.

8 (c) "Sterile hypodermic device program" has the meaning ascribed to it in NRS
9 439.986.

10 **Sec. 14.** NRS 453.381 is hereby amended to read as follows:

11 453.381 1. In addition to the limitations imposed by NRS 453.256 and
12 453.3611 to 453.3648, inclusive, a physician, physician assistant, dentist, advanced
13 practice registered nurse, *certified registered nurse anesthetist* or podiatric
14 physician may prescribe or administer controlled substances only for a legitimate
15 medical purpose and in the usual course of his or her professional practice, and he
16 or she shall not prescribe, administer or dispense a controlled substance listed in
17 schedule II for himself or herself, his or her spouse or his or her children except in
18 cases of emergency.

19 2. A veterinarian, in the course of his or her professional practice only, and
20 not for use by a human being, may prescribe, possess and administer controlled
21 substances, and the veterinarian may cause them to be administered by a veterinary
22 technician under the direction and supervision of the veterinarian.

23 3. A euthanasia technician, within the scope of his or her license, and not for
24 use by a human being, may possess and administer sodium pentobarbital.

25 4. A pharmacist shall not fill an order which purports to be a prescription if
26 the pharmacist has reason to believe that it was not issued in the usual course of the
27 professional practice of a physician, physician assistant, dentist, advanced practice
28 registered nurse, *certified registered nurse anesthetist*, podiatric physician or
29 veterinarian.

30 5. Any person who has obtained from a physician, physician assistant, dentist,
31 advanced practice registered nurse, *certified registered nurse anesthetist*, podiatric
32 physician or veterinarian any controlled substance for administration to a patient
33 during the absence of the physician, physician assistant, dentist, advanced practice
34 registered nurse, *certified registered nurse anesthetist*, podiatric physician or
35 veterinarian shall return to him or her any unused portion of the substance when it
36 is no longer required by the patient.

37 6. A manufacturer, wholesale supplier or other person legally able to furnish
38 or sell any controlled substance listed in schedule II shall not provide samples of
39 such a controlled substance to registrants.

40 7. A salesperson of any manufacturer or wholesaler of pharmaceuticals shall
41 not possess, transport or furnish any controlled substance listed in schedule II.

42 8. A person shall not dispense a controlled substance in violation of a
43 regulation adopted by the Board.

44 **Sec. 15.** NRS 453.391 is hereby amended to read as follows:

45 453.391 A person shall not:

46 1. Unlawfully take, obtain or attempt to take or obtain a controlled substance
47 or a prescription for a controlled substance from a manufacturer, wholesaler,
48 pharmacist, physician, physician assistant, dentist, advanced practice registered
49 nurse, *certified registered nurse anesthetist*, veterinarian or any other person
50 authorized to administer, dispense or possess controlled substances.

51 2. While undergoing treatment and being supplied with any controlled
52 substance or a prescription for any controlled substance from one practitioner,
53 knowingly obtain any controlled substance or a prescription for a controlled

1 substance from another practitioner without disclosing this fact to the second
2 practitioner.

3 **Sec. 16.** NRS 454.00958 is hereby amended to read as follows:

4 454.00958 “Practitioner” means:

5 1. A physician, dentist, veterinarian or podiatric physician who holds a valid
6 license to practice his or her profession in this State.

7 2. A pharmacy, hospital or other institution licensed or registered to
8 distribute, dispense, conduct research with respect to or to administer a dangerous
9 drug in the course of professional practice in this State.

10 3. When relating to the prescription of poisons, dangerous drugs and devices:

11 (a) An advanced practice registered nurse who holds a certificate from the
12 State Board of Pharmacy permitting him or her so to prescribe; or

13 (b) A physician assistant who holds a license from the Board of Medical
14 Examiners and a certificate from the State Board of Pharmacy permitting him or
15 her so to prescribe.

16 4. An optometrist who is certified to prescribe and administer pharmaceutical
17 agents pursuant to NRS 636.288 when the optometrist prescribes or administers
18 dangerous drugs which are within the scope of his or her certification.

19 **5. A certified registered nurse anesthetist who orders, prescribes, possesses**
20 **or administers poisons, dangerous drugs or devices in accordance with section 3**
21 **of this act.**

22 **Sec. 17.** 1. This section becomes effective upon passage and approval.

23 2. Sections 1 to 16, inclusive, of this act become effective:

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

27 (b) On January 1, 2024, for all other purposes.