

Amendment No. 553

Senate Amendment to Assembly Bill No. 437	(BDR 54-670)
Proposed by: Senate Committee on Commerce and Labor	
Amends: Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

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.

JFS/SJQ



Date: 5/21/2023

A.B. No. 437—Limits the amount a provider of health care may charge for filling out certain forms associated with certain leaves of absence.
(BDR 54-670)



ASSEMBLY BILL NO. 437—COMMITTEE
ON COMMERCE AND LABOR

MARCH 27, 2023

Referred to Committee on Commerce and Labor

SUMMARY—Limits the amount and circumstances under which a provider of health care may charge for filling out certain forms associated with certain leaves of absence. (BDR 54-670)

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

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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 providers of health care; limiting the amount and circumstances under which a provider of health care may charge to fill out certain forms necessary to take a leave of absence authorized by the Family and Medical Leave Act of 1993; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under the Family and Medical Leave Act of 1993, certain employees have the right to
2 take an unpaid leave of absence from work for certain medical or family reasons, including,
3 without limitation: (1) because of a serious health condition of the employee that makes the
4 employee unable to perform the functions of his or her position; (2) to care for certain family
5 members who have a serious health condition; or (3) to care for certain veterans or members
6 of the Armed Forces who have suffered a serious injury or illness. (29 U.S.C. § 2612) The Act
7 authorizes an employer of an employee who requests leave for one of those reasons to require
8 the employee to provide a certification issued by a health care provider that contains certain
9 information concerning the serious health condition or serious injury or illness. (29 U.S.C. §
10 2613; 29 C.F.R. §§ 825.305-825.310) This bill prohibits a provider of health care from
11 charging a person ~~more than \$10~~ any fee or charge to fill out a form for such a certification
12 ~~if the provider of health care has examined, treated or otherwise provided health care~~
13 services to the person who is the subject of the certification within the immediately
14 preceding 3 years. If the provider of health has not examined, treated or otherwise
15 provided health care services to the person who is the subject of the certification within
16 the immediately preceding 3 years, this bill prohibits the provider of health care from
17 charging more than \$25 to fill out such a form.

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

1 **Section 1.** Chapter 629 of NRS is hereby amended by adding thereto a new
2 section to read as follows:

3 ~~AA~~ If a person requests that a provider of health care fill out a form for a
4 certification required by an employer pursuant to 29 U.S.C. § 2613, the provider
5 of health care shall not charge ~~AA~~ the person ~~more~~.

6 1. Any fee or charge to fill out the form if the provider of health care has
7 examined, treated or otherwise provided health care services to the person who is
8 the subject of the certification within the 3 years immediately preceding the date
9 on which the request to fill out the form is made.

10 2. More than ~~(\$10)~~ \$25 to fill out ~~AA~~ the form ~~{for a}~~ if the provider of
11 health care has not examined, treated or otherwise provided health care services
12 to the person who is the subject of the certification ~~{required by an employer~~
13 ~~pursuant to 29 U.S.C. § 2613.}~~ within the 3 years immediately preceding the date
14 on which the request to fill out the form is made.