

Amendment No. 788

Assembly Amendment to Assembly Bill No. 460

(BDR 40-1070)

Proposed by: Assembly Committee on Ways and Means

Amends: Summary: No Title: No 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.

DAN/EWR



Date: 5/26/2023

A.B. No. 460—Revises provisions relating to nursing pools. (BDR 40-1070)



ASSEMBLY BILL NO. 460—COMMITTEE ON WAYS AND MEANS

(ON BEHALF OF THE OFFICE OF FINANCE
IN THE OFFICE OF THE GOVERNOR)

MARCH 29, 2023

Referred to Committee on Ways and Means

SUMMARY—Revises provisions relating to nursing pools. (BDR 40-1070)

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

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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; revising the entities required to be licensed as nursing pools; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law: (1) defines the term “nursing pool” to mean a person or agency which
2 provides, through its employees or by a contractual arrangement with other persons, nursing
3 services to any natural person, medical facility or facility for the dependent; and (2) requires
4 the licensure and regulation of a nursing pool as a medical facility. (NRS 449.0151, 449.0153,
5 449.030) This bill revises the definition of the term “nursing pool” to only include a person or
6 agency which provides, through its employees or by contractual arrangement with other
7 persons, infusion or private duty nursing services to a natural person. This bill also exempts
8 from that definition: (1) a nursing pool providing staff for a medical facility or facility for the
9 dependent; (2) an entity that assists a medical facility in contracting with or hiring a
10 provider of health care or other person involved in the provision of health care under
11 certain circumstances; (3) a licensed private employment agency; and ~~((3))~~ (4) a licensed
12 professional employer organization. This bill thus exempts such entities from licensure and
13 regulation as medical facilities.

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

1 **Section 1.** NRS 449.0153 is hereby amended to read as follows:
2 449.0153 1. “Nursing pool” means a person or agency which provides for
3 compensation, through its employees or by contractual arrangement with other
4 persons, *infusion or private duty* nursing services to any natural person . ~~[, medical~~
5 ~~facility or facility for the dependent.]~~
6 2. The term does not include:
7 (a) An independent contractor who provides such services without the
8 assistance of employees;

1 (b) A nursing pool based in *or providing staff for* a medical facility or facility
2 for the dependent;

3 (c) A provider of community-based living arrangement services during any
4 period in which the provider of community-based living arrangement services is
5 engaged in providing community-based living arrangement services; ~~to~~

6 (d) A provider of supported living arrangement services during any period in
7 which the provider of supported living arrangement services is engaged in
8 providing supported living arrangement services ~~to~~;

9 (e) An entity that assists a medical facility in contracting with or hiring a
10 provider of health care or other person involved in the provision of health care if:

11 (1) The provider of health care or other person is not an employee of the
12 entity assisting in the hiring or contracting of the provider of health care or other
13 person; and

14 (2) The medical facility sets the terms of employment of the provider of
15 health care or other person, including, without limitation, compensation;

16 (f) A private employment agency licensed pursuant to NRS 611.045; or
17 ~~to~~ (g) A professional employer organization licensed pursuant to NRS
18 611.410.

19 **Sec. 2.** This act becomes effective on July 1, 2023.