

PROPOSED REGULATION OF THE CENTRAL REPOSITORY FOR NEVADA RECORDS OF CRIMINAL HISTORY

LCB File No. R045-10

(These sections relating to records of mental health were split out from R023-10 for separate consideration)

NAC 179A.xxx *Record of Mental Health defined. "Record of Mental Health" means information contained in a record transmitted to the Central Repository pursuant to NRS 159.055, 174.035, 175.433, 175,539, 178.425, or 433A.310.*

Section 1. *Form for transmitting a record of mental health to the Central Repository for data entry into the NICS database. The Central Repository shall make available to Nevada courts a form for the transmittal of a record of mental health of an individual for the purposes of entry into the database of the National Instant Criminal Background Check System.*

Section 2. *Transmittal of a record of mental health from the Central Repository to the NICS database.*

- 1. Upon receipt of a record of mental health form from a Nevada court, the Central Repository shall enter information about the subject of the record into the database of the National Instant Criminal Background Check System.*
- 2. Information to be entered into the NICS database includes, but is not limited to, the subject's:*
 - a. Full legal name;*
 - b. Date of birth;*
 - c. State of residency (if available);*
 - d. Place of birth (if available);*
 - e. Gender;*
 - f. Race (if available);*
 - g. Height (if available);*
 - h. Weight (if available);*
 - i. Hair and eye color (if available);*
 - j. Social security number (if available);*
 - k. Aliases (if available); and*
 - l. Any other information that assists with establishing the identity of the subject.*
- 3. The Central Repository shall ensure the confidentiality of records of mental health forms by maintaining such forms in a secure environment with limited access.*

Section 3. *Procedure to permit inspection, review, or challenge of information relating to a record of mental health by those persons who are the subjects thereof. An individual who believes he may be the subject of a record of mental health housed within the Central Repository and entered into the NICS database may inspect, review, or challenge the accuracy of such a record by:*

1. *Appearing in person at the office of the Central Repository;*
2. *Providing a governmentally issued photo identification card as proof of identity;*
3. *Completing the form designated by the Central Repository to permit inspection, review, or challenge of the record; and*
4. *Paying the fee in effect at the time for inspection, review, or challenge of the record in the form of a certified check or money order payable to the Records and Technology Division.*