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FIRST REPRINT

A.B. 168

ASSEMBLY BILL NO. 168—ASSEMBLYWOMEN
THOMAS AND GORELOW

FEBRUARY 14, 2023

Referred to Committee on Health and Human Services

SUMMARY—Revises provisions relating to fetal and infant mortality. (BDR 40-64)

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; establishing the Fetal and Infant Mortality Review Program; requiring the Program to review and make recommendations concerning the deaths of fetuses and infants; requiring the Program to coordinate with certain persons and entities involved in the review of the deaths of children to avoid duplication of efforts; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law establishes the Maternal Mortality Review Committee within the
2 Department of Health and Human Services and requires the Committee to perform
3 certain duties relating to studying and recommending measures to reduce maternal
4 mortality. (NRS 442.751-442.774) **Section 8** of this bill similarly establishes the
5 Fetal and Infant Mortality Review Program within the Department. **Sections 5-7** of
6 this bill define certain terms. **Section 8** requires the Program, at the direction of the
7 Advisory Committee of the Office of Minority Health and Equity of the
8 Department, to: (1) review incidents of fetal and infant death in this State; (2)
9 identify factors associated with and develop recommendations concerning fetal and
10 infant death in this State; and (3) disseminate findings and recommendations
11 concerning fetal and infant death to providers of health care, medical facilities,
12 other interested persons and the public. **Section 9** of this bill entitles the Program to
13 certain records it deems necessary to perform its duties and authorizes the
14 Department, on behalf of the Program, to petition the district court for a subpoena
15 to compel the production of such records. **Sections 9 and 12** of this bill also
16 provide that information acquired by and records of the Program are confidential
17 and not subject to subpoena, discovery or introduction into evidence in any civil or
18 criminal proceeding. **Section 10** of this bill authorizes the Department to convene a
19 multidisciplinary team to: (1) review the findings of the Program; and (2) make
20 recommendations to prevent fetal and infant death. **Sections 9, 10 and 13** of this



21 bill provide that certain meetings held by the Program or a multidisciplinary team
22 are closed to the public.

23 Existing law authorizes the director or other authorized representative of an
24 agency that provides child welfare services to organize one or more
25 multidisciplinary teams to review the death of a child for the purpose of developing
26 a report and recommendations on the prevention of such deaths. (NRS 432B.405-
27 432B.4075) Existing law establishes the Executive Committee to Review the Death
28 of Children and requires each multidisciplinary team to transmit its report and
29 recommendations to the Executive Committee. (NRS 432B.408, 432B.409)
30 **Sections 8, 14 and 16** of this bill require the Program, the director or other
31 authorized representative of an agency which provides child welfare services, a
32 multidisciplinary team organized to review the death of an infant and the Executive
33 Committee to coordinate to ensure that certain reports are made concerning the
34 death of an infant and avoid duplication of efforts. **Sections 8 and 15** of this bill
35 authorize the sharing of information between the Program and a multidisciplinary
36 team to review the death of an infant.

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

1 **Section 1.** (Deleted by amendment.)

2 **Sec. 2.** (Deleted by amendment.)

3 **Sec. 3.** Chapter 442 of NRS is hereby amended by adding
4 thereto the provisions set forth as sections 4 to 10, inclusive, of this
5 act.

6 **Sec. 4.** *As used in sections 4 to 10, inclusive, of this act,*
7 *unless the context otherwise requires, the words and terms defined*
8 *in sections 5, 6 and 7 of this act have the meanings ascribed to*
9 *them in those sections.*

10 **Sec. 5.** *“Advisory Committee” means the Advisory*
11 *Committee of the Office of Minority Health and Equity of the*
12 *Department.*

13 **Sec. 6.** *“Infant” means a child who is less than 1 year of age.*

14 **Sec. 7.** *“Program” means the Fetal and Infant Mortality*
15 *Review Program established by section 8 of this act.*

16 **Sec. 8. 1.** *The Fetal and Infant Mortality Review Program*
17 *is hereby established within the Department.*

18 **2.** *Within the limits of available resources and at the direction*
19 *of the Advisory Committee, the Program shall:*

20 *(a) Review incidents and trends in the deaths of fetuses and*
21 *infants in this State.*

22 *(b) Identify and review disparities in the incidence of fetal and*
23 *infant death in this State by analyzing:*

24 *(1) The race, ethnicity and age of fetuses and infants who*
25 *experience preventable death;*

26 *(2) The geographic regions where the parents of fetuses*
27 *and infants who experience preventable death reside; and*



1 (3) *The causes of fetal and infant deaths in this State,*
2 *including, without limitation, Sudden Unexpected Infant Death.*

3 3. *The Program shall, based on the reviews conducted*
4 *pursuant to subsection 2:*

5 (a) *Identify factors that are associated with fetal and infant*
6 *deaths in this State, including, without limitation, any factors*
7 *specific to the particular geographic area in which the death of a*
8 *fetus or infant occurs;*

9 (b) *Develop recommendations to prevent the deaths of fetuses*
10 *and infants in this State; and*

11 (c) *Disseminate findings and recommendations to the Advisory*
12 *Committee, providers of health care, medical facilities, local*
13 *health authorities and other interested persons and entities and*
14 *the public.*

15 4. *The Program shall coordinate with the director or other*
16 *authorized representative of each agency which provides child*
17 *welfare services, each multidisciplinary team appointed pursuant*
18 *to paragraph (d) of subsection 2 of NRS 432B.409 to review the*
19 *death of a child who is less than 1 year of age and the Executive*
20 *Committee to Review the Death of Children established pursuant*
21 *to NRS 432B.409 as necessary to:*

22 (a) *Avoid duplication of efforts;*

23 (b) *Clarify the scope of reviews conducted by the Program and*
24 *a multidisciplinary team when the Program and the*
25 *multidisciplinary team are each reviewing the same death; and*

26 (c) *Ensure the data and findings of the Program and a*
27 *multidisciplinary team concerning the death of a child who is less*
28 *than 1 year of age:*

29 (1) *Are reported to the national database of the National*
30 *Center for Fatality Review and Prevention, or its successor*
31 *organization;*

32 (2) *Are included in the statewide annual report on child*
33 *deaths compiled by the Executive Committee to Review the Death*
34 *of Children pursuant to NRS 432B.409; and*

35 (3) *Are not duplicated in the reports described in*
36 *subparagraphs (1) and (2) or any other reports that contain such*
37 *data and findings.*

38 5. *The Department shall adopt such regulations as are*
39 *necessary to carry out the provisions of sections 4 to 10, inclusive,*
40 *of this act, including, without limitation, regulations prescribing*
41 *the procedures which must be used by the Program when*
42 *conducting a review of the death of a fetus or infant.*

43 6. *As used in this section:*

44 (a) *“Agency which provides child welfare services” has the*
45 *meaning ascribed to it in NRS 432B.030.*



1 (b) "Medical facility" has the meaning ascribed to it in
2 NRS 449.0151.

3 (c) "Sudden Unexpected Infant Death" means the sudden and
4 unexpected death of an infant below 1 year of age in which the
5 cause of the death was not obvious before investigation. Sudden
6 unexpected infant death includes, without limitation, death by
7 Sudden Infant Death Syndrome and accidental suffocation during
8 sleep.

9 **Sec. 9. 1. The Program is entitled to access to:**

10 (a) All final investigative information of law enforcement
11 agencies regarding the death of a fetus or infant being
12 investigated by the Advisory Committee for which the investigation
13 by the law enforcement agency has been closed;

14 (b) Any autopsy and coroner's investigative records relating to
15 the death;

16 (c) Any medical or mental health records of the fetus or infant
17 or the parent or guardian of the fetus or infant;

18 (d) Any records of social and rehabilitative services or of any
19 other social service agency which has provided services to the
20 family of the fetus or infant;

21 (e) The system for the reporting of information on cancer and
22 other neoplasms established pursuant to NRS 457.230;

23 (f) The system for the reporting of information on sickle cell
24 disease and its variants established pursuant to NRS 439.4929;

25 (g) The system for the reporting of information on lupus and
26 its variants established pursuant to NRS 439.4976; and

27 (h) Any other records determined by the Department to be
28 necessary for the Program to perform its duties, except for the
29 investigative information of a law enforcement agency not
30 described in paragraph (a).

31 2. The staff of the Program may, if appropriate, meet and
32 share information with a multidisciplinary team appointed
33 pursuant to paragraph (d) of subsection 2 of NRS 432B.409 to
34 review the death of an infant.

35 3. The Department may, on behalf of the Program, petition
36 the district court for the issuance of, and the district court may
37 issue, a subpoena to compel the production of any books, records
38 or papers relevant to the cause of any death being investigated by
39 the Program. Except as otherwise provided in NRS 239.0115, any
40 books, records or papers received by the Program pursuant to the
41 subpoena shall be deemed confidential and privileged and not
42 subject to disclosure.

43 4. The Program may use data collected concerning a fetal
44 death or death of an infant for the purpose of research or to



1 *prevent future deaths if the data is aggregated and does not allow*
2 *for the identification of any person.*

3 5. *Except as otherwise provided in this section, information*
4 *acquired by, and the records of, the Program are confidential, are*
5 *not public records, must not be disclosed, and are not subject to*
6 *subpoena, discovery or introduction into evidence in any civil or*
7 *criminal proceeding.*

8 6. *The Advisory Committee is entitled to access:*

9 (a) *Aggregated, deidentified data concerning the deaths of*
10 *fetuses and infants in the possession of the Department; and*

11 (b) *The findings and recommendations of the Program.*

12 7. *Any meetings that are convened by the Program,*
13 *including, without limitation, a meeting to coordinate pursuant to*
14 *section 8 of this act with the director or other authorized*
15 *representative of an agency which provides child welfare services,*
16 *a multidisciplinary team appointed pursuant to paragraph (d) of*
17 *subsection 2 of NRS 432B.409 or the Executive Committee to*
18 *Review the Death of Children established pursuant to NRS*
19 *432B.409, are closed to the public.*

20 **Sec. 10.** 1. *The Department may convene a*
21 *multidisciplinary team to review the findings of the Program and*
22 *make recommendations to prevent the deaths of fetuses and*
23 *infants in this State.*

24 2. *The Department shall determine the membership of a*
25 *multidisciplinary team convened pursuant to subsection 1 based*
26 *on the findings that will be reviewed by the multidisciplinary team.*
27 *Such members may include, without limitation:*

28 (a) *Representatives of local health authorities;*

29 (b) *Medical professionals and providers of services relating to*
30 *health care, including, without limitation, providers of health care*
31 *or other services, midwives, dieticians, providers of family*
32 *planning services, persons who provide education in health care,*
33 *community health workers and doulas;*

34 (c) *Representatives of medical facilities, including, without*
35 *limitation, administrators of hospitals, clinics and freestanding*
36 *birthing centers and providers of care for home births;*

37 (d) *Representatives of managed care organizations, including,*
38 *without limitation, health maintenance organizations that have*
39 *entered into a contract with the Department pursuant to NRS*
40 *422.273 to provide services to recipients of Medicaid;*

41 (e) *Representatives of the maternal and child health program*
42 *administered by the Department pursuant to NRS 442.130 and the*
43 *Special Supplemental Nutrition Program for Women, Infants and*
44 *Children established by 7 C.F.R. Part 246;*



1 (f) *Representatives of centers for rehabilitation or treatment of*
2 *alcohol or other substance use disorders;*

3 (g) *Representatives of communities in this State that have been*
4 *economically disadvantaged or belong to a racial or ethnic*
5 *minority group, including, without limitation:*

6 (1) *Advocates for the rights of such communities;*

7 (2) *Members of faith-based organizations within such*
8 *communities;*

9 (3) *Members of the Nevada Indian Commission;*

10 (4) *Members of groups established to improve or advocate*
11 *for the health of such communities; and*

12 (5) *Members of local coalitions that advocate for such*
13 *communities; and*

14 (h) *Any other persons or organizations that the Department*
15 *deems necessary based on the available data.*

16 3. *The meetings of a multidisciplinary team held to review*
17 *data and develop recommendations are closed to the public.*

18 4. *As used in this section:*

19 (a) *“Community health worker” has the meaning ascribed to it*
20 *in NRS 449.0027.*

21 (b) *“Health maintenance organization” has the meaning*
22 *ascribed to it in NRS 695C.030.*

23 (c) *“Hospital” has the meaning ascribed to it in NRS 449.012.*

24 (d) *“Managed care organization” has the meaning ascribed to*
25 *it in NRS 695G.050.*

26 (e) *“Medical facility” has the meaning ascribed to it in*
27 *NRS 449.0151.*

28 **Sec. 11.** NRS 232.484 is hereby amended to read as follows:

29 232.484 The Advisory Committee shall:

30 1. Advise the Manager on all matters concerning the manner in
31 which the purposes of the Office are being carried out;

32 2. Review the manner in which the Office uses any gifts,
33 grants, donations or appropriations to carry out the purposes of the
34 Office and make recommendations; ~~and~~

35 3. Review any reports to be submitted by the Manager,
36 including, without limitation, the report required pursuant to NRS
37 232.479, and make recommendations ~~and~~; *and*

38 4. *Direct and coordinate with the Fetal and Infant Mortality*
39 *Review Program established by section 8 of this act.*

40 **Sec. 12.** NRS 239.010 is hereby amended to read as follows:

41 239.010 1. Except as otherwise provided in this section and
42 NRS 1.4683, 1.4687, 1A.110, 3.2203, 41.0397, 41.071, 49.095,
43 49.293, 62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030,
44 62H.170, 62H.220, 62H.320, 75A.100, 75A.150, 76.160, 78.152,
45 80.113, 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413,



1 87A.200, 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345,
2 88A.7345, 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270,
3 116B.880, 118B.026, 119.260, 119.265, 119.267, 119.280,
4 119A.280, 119A.653, 119A.677, 119B.370, 119B.382, 120A.640,
5 120A.690, 125.130, 125B.140, 126.141, 126.161, 126.163, 126.730,
6 127.007, 127.057, 127.130, 127.140, 127.2817, 128.090, 130.312,
7 130.712, 136.050, 159.044, 159A.044, 172.075, 172.245, 176.015,
8 176.0625, 176.09129, 176.156, 176A.630, 178.39801, 178.4715,
9 178.5691, 179.495, 179A.070, 179A.165, 179D.160, 200.3771,
10 200.3772, 200.5095, 200.604, 202.3662, 205.4651, 209.392,
11 209.3923, 209.3925, 209.419, 209.429, 209.521, 211A.140,
12 213.010, 213.040, 213.095, 213.131, 217.105, 217.110, 217.464,
13 217.475, 218A.350, 218E.625, 218F.150, 218G.130, 218G.240,
14 218G.350, 224.240, 226.300, 228.270, 228.450, 228.495, 228.570,
15 231.069, 231.1473, 232.1369, 233.190, 237.300, 239.0105,
16 239.0113, 239.014, 239B.026, 239B.030, 239B.040, 239B.050,
17 239C.140, 239C.210, 239C.230, 239C.250, 239C.270, 239C.420,
18 240.007, 241.020, 241.030, 241.039, 242.105, 244.264, 244.335,
19 247.540, 247.550, 247.560, 250.087, 250.130, 250.140, 250.150,
20 268.095, 268.0978, 268.490, 268.910, 269.174, 271A.105, 281.195,
21 281.805, 281A.350, 281A.680, 281A.685, 281A.750, 281A.755,
22 281A.780, 284.4068, 284.4086, 286.110, 286.118, 287.0438,
23 289.025, 289.080, 289.387, 289.830, 293.4855, 293.5002, 293.503,
24 293.504, 293.558, 293.5757, 293.870, 293.906, 293.908, 293.910,
25 293B.135, 293D.510, 331.110, 332.061, 332.351, 333.333, 333.335,
26 338.070, 338.1379, 338.1593, 338.1725, 338.1727, 348.420,
27 349.597, 349.775, 353.205, 353A.049, 353A.085, 353A.100,
28 353C.240, 360.240, 360.247, 360.255, 360.755, 361.044, 361.2242,
29 361.610, 365.138, 366.160, 368A.180, 370.257, 370.327, 372A.080,
30 378.290, 378.300, 379.0075, 379.008, 379.1495, 385A.830,
31 385B.100, 387.626, 387.631, 388.1455, 388.259, 388.501, 388.503,
32 388.513, 388.750, 388A.247, 388A.249, 391.033, 391.035,
33 391.0365, 391.120, 391.925, 392.029, 392.147, 392.264, 392.271,
34 392.315, 392.317, 392.325, 392.327, 392.335, 392.850, 393.045,
35 394.167, 394.16975, 394.1698, 394.447, 394.460, 394.465,
36 396.1415, 396.1425, 396.143, 396.159, 396.3295, 396.405, 396.525,
37 396.535, 396.9685, 398A.115, 408.3885, 408.3886, 408.3888,
38 408.5484, 412.153, 414.280, 416.070, 422.2749, 422.305,
39 422A.342, 422A.350, 425.400, 427A.1236, 427A.872, 432.028,
40 432.205, 432B.175, 432B.280, 432B.290, 432B.4018, 432B.407,
41 432B.430, 432B.560, 432B.5902, 432C.140, 432C.150, 433.534,
42 433A.360, 439.4941, 439.4988, 439.840, 439.914, 439A.116,
43 439A.124, 439B.420, 439B.754, 439B.760, 439B.845, 440.170,
44 441A.195, 441A.220, 441A.230, 442.330, 442.395, 442.735,
45 442.774, 445A.665, 445B.570, 445B.7773, 447.345, 449.209,



1 449.245, 449.4315, 449A.112, 450.140, 450B.188, 450B.805,
2 453.164, 453.720, 458.055, 458.280, 459.050, 459.3866, 459.555,
3 459.7056, 459.846, 463.120, 463.15993, 463.240, 463.3403,
4 463.3407, 463.790, 467.1005, 480.535, 480.545, 480.935, 480.940,
5 481.063, 481.091, 481.093, 482.170, 482.368, 482.5536, 483.340,
6 483.363, 483.575, 483.659, 483.800, 484A.469, 484B.830,
7 484B.833, 484E.070, 485.316, 501.344, 503.452, 522.040,
8 534A.031, 561.285, 571.160, 584.655, 587.877, 598.0964, 598.098,
9 598A.110, 598A.420, 599B.090, 603.070, 603A.210, 604A.303,
10 604A.710, 612.265, 616B.012, 616B.015, 616B.315, 616B.350,
11 618.341, 618.425, 622.238, 622.310, 623.131, 623A.137, 624.110,
12 624.265, 624.327, 625.425, 625A.185, 628.418, 628B.230,
13 628B.760, 629.047, 629.069, 630.133, 630.2671, 630.2672,
14 630.2673, 630.30665, 630.336, 630A.327, 630A.555, 631.332,
15 631.368, 632.121, 632.125, 632.3415, 632.3423, 632.405, 633.283,
16 633.301, 633.4715, 633.4716, 633.4717, 633.524, 634.055,
17 634.1303, 634.214, 634A.169, 634A.185, 635.111, 635.158,
18 636.262, 636.342, 637.085, 637.145, 637B.192, 637B.288, 638.087,
19 638.089, 639.183, 639.2485, 639.570, 640.075, 640.152, 640A.185,
20 640A.220, 640B.405, 640B.730, 640C.580, 640C.600, 640C.620,
21 640C.745, 640C.760, 640D.135, 640D.190, 640E.225, 640E.340,
22 641.090, 641.221, 641.2215, 641.325, 641A.191, 641A.217,
23 641A.262, 641B.170, 641B.281, 641B.282, 641C.455, 641C.760,
24 641D.260, 641D.320, 642.524, 643.189, 644A.870, 645.180,
25 645.625, 645A.050, 645A.082, 645B.060, 645B.092, 645C.220,
26 645C.225, 645D.130, 645D.135, 645G.510, 645H.320, 645H.330,
27 647.0945, 647.0947, 648.033, 648.197, 649.065, 649.067, 652.126,
28 652.228, 653.900, 654.110, 656.105, 657A.510, 661.115, 665.130,
29 665.133, 669.275, 669.285, 669A.310, 671.170, 673.450, 673.480,
30 675.380, 676A.340, 676A.370, 677.243, 678A.470, 678C.710,
31 678C.800, 679B.122, 679B.124, 679B.152, 679B.159, 679B.190,
32 679B.285, 679B.690, 680A.270, 681A.440, 681B.260, 681B.410,
33 681B.540, 683A.0873, 685A.077, 686A.289, 686B.170, 686C.306,
34 687A.060, 687A.115, 687B.404, 687C.010, 688C.230, 688C.480,
35 688C.490, 689A.696, 692A.117, 692C.190, 692C.3507, 692C.3536,
36 692C.3538, 692C.354, 692C.420, 693A.480, 693A.615, 696B.550,
37 696C.120, 703.196, 704B.325, 706.1725, 706A.230, 710.159,
38 711.600, *and section 9 of this act*, sections 35, 38 and 41 of chapter
39 478, Statutes of Nevada 2011 and section 2 of chapter 391, Statutes
40 of Nevada 2013 and unless otherwise declared by law to be
41 confidential, all public books and public records of a governmental
42 entity must be open at all times during office hours to inspection by
43 any person, and may be fully copied or an abstract or memorandum
44 may be prepared from those public books and public records. Any
45 such copies, abstracts or memoranda may be used to supply the



1 general public with copies, abstracts or memoranda of the records or
2 may be used in any other way to the advantage of the governmental
3 entity or of the general public. This section does not supersede or in
4 any manner affect the federal laws governing copyrights or enlarge,
5 diminish or affect in any other manner the rights of a person in any
6 written book or record which is copyrighted pursuant to federal law.

7 2. A governmental entity may not reject a book or record
8 which is copyrighted solely because it is copyrighted.

9 3. A governmental entity that has legal custody or control of a
10 public book or record shall not deny a request made pursuant to
11 subsection 1 to inspect or copy or receive a copy of a public book or
12 record on the basis that the requested public book or record contains
13 information that is confidential if the governmental entity can
14 redact, delete, conceal or separate, including, without limitation,
15 electronically, the confidential information from the information
16 included in the public book or record that is not otherwise
17 confidential.

18 4. If requested, a governmental entity shall provide a copy of a
19 public record in an electronic format by means of an electronic
20 medium. Nothing in this subsection requires a governmental entity
21 to provide a copy of a public record in an electronic format or by
22 means of an electronic medium if:

23 (a) The public record:

24 (1) Was not created or prepared in an electronic format; and

25 (2) Is not available in an electronic format; or

26 (b) Providing the public record in an electronic format or by
27 means of an electronic medium would:

28 (1) Give access to proprietary software; or

29 (2) Require the production of information that is confidential
30 and that cannot be redacted, deleted, concealed or separated from
31 information that is not otherwise confidential.

32 5. An officer, employee or agent of a governmental entity who
33 has legal custody or control of a public record:

34 (a) Shall not refuse to provide a copy of that public record in the
35 medium that is requested because the officer, employee or agent has
36 already prepared or would prefer to provide the copy in a different
37 medium.

38 (b) Except as otherwise provided in NRS 239.030, shall, upon
39 request, prepare the copy of the public record and shall not require
40 the person who has requested the copy to prepare the copy himself
41 or herself.

42 **Sec. 13.** NRS 241.016 is hereby amended to read as follows:

43 241.016 1. The meetings of a public body that are quasi-
44 judicial in nature are subject to the provisions of this chapter.



1 2. The following are exempt from the requirements of this
2 chapter:

3 (a) The Legislature of the State of Nevada.

4 (b) Judicial proceedings, including, without limitation,
5 proceedings before the Commission on Judicial Selection and,
6 except as otherwise provided in NRS 1.4687, the Commission on
7 Judicial Discipline.

8 (c) Meetings of the State Board of Parole Commissioners when
9 acting to grant, deny, continue or revoke the parole of a prisoner or
10 to establish or modify the terms of the parole of a prisoner.

11 3. Any provision of law, including, without limitation, NRS
12 91.270, 219A.210, 228.495, 239C.140, 239C.420, 241.028,
13 281A.350, 281A.690, 281A.735, 281A.760, 284.3629, 286.150,
14 287.0415, 287.04345, 287.338, 288.220, 288.590, 289.387, 295.121,
15 315.98425, 360.247, 388.261, 388.385, 388A.495, 388C.150,
16 388D.355, 388G.710, 388G.730, 392.147, 392.466, 392.467,
17 392.4671, 394.1699, 396.1415, 396.3295, 414.270, 422.405,
18 433.534, 435.610, 442.774, 463.110, 480.545, 622.320, 622.340,
19 630.311, 630.336, 631.3635, 639.050, 642.518, 642.557, 686B.170,
20 696B.550, 703.196 and 706.1725, *and sections 9 and 10 of this act*,
21 which:

22 (a) Provides that any meeting, hearing or other proceeding is not
23 subject to the provisions of this chapter; or

24 (b) Otherwise authorizes or requires a closed meeting, hearing
25 or proceeding,

26 ↪ prevails over the general provisions of this chapter.

27 4. The exceptions provided to this chapter, and electronic
28 communication, must not be used to circumvent the spirit or letter of
29 this chapter to deliberate or act, outside of an open and public
30 meeting, upon a matter over which the public body has supervision,
31 control, jurisdiction or advisory powers.

32 **Sec. 14.** NRS 432B.405 is hereby amended to read as follows:

33 432B.405 1. The director or other authorized representative
34 of an agency which provides child welfare services:

35 (a) May provisionally appoint and organize one or more
36 multidisciplinary teams to review the death of a child;

37 (b) Shall submit names to the Executive Committee to Review
38 the Death of Children established pursuant to NRS 432B.409 for
39 review and approval of persons whom the director or other
40 authorized representative recommends for appointment to a
41 multidisciplinary team to review the death of a child; and

42 (c) Shall organize one or more multidisciplinary teams to review
43 the death of a child under any of the following circumstances:

44 (1) Upon receiving a written request from an adult related to
45 the child within the third degree of consanguinity, if the request is



1 received by the agency within 1 year after the date of death of the
2 child;

3 (2) If the child dies while in the custody of or involved with
4 an agency which provides child welfare services, or if the child's
5 family previously received services from such an agency;

6 (3) If the death is alleged to be from abuse or neglect of the
7 child;

8 (4) If a sibling, household member or day care provider has
9 been the subject of a child abuse and neglect investigation within the
10 previous 12 months, including, without limitation, cases in which
11 the report was unsubstantiated or the investigation is currently
12 pending;

13 (5) If the child was adopted through an agency which
14 provides child welfare services; or

15 (6) If the child died of Sudden Infant Death Syndrome.

16 2. A review conducted pursuant to subparagraph (2) of
17 paragraph (c) of subsection 1 must occur within 3 months after the
18 issuance of a certificate of death.

19 **3. *The director or other authorized representative of each***
20 ***agency which provides child welfare services and each***
21 ***multidisciplinary team to review the death of a child who is less***
22 ***than 1 year of age shall coordinate with the Fetal and Infant***
23 ***Mortality Review Program established pursuant to section 8 of this***
24 ***act and the Executive Committee to Review the Death of Children***
25 ***established pursuant to NRS 432B.409 as necessary to:***

26 ***(a) Avoid duplication of efforts;***

27 ***(b) Clarify the scope of reviews conducted by the***
28 ***multidisciplinary team and the Program when the***
29 ***multidisciplinary team and the Program are each reviewing***
30 ***the same death; and***

31 ***(c) Ensure the data and findings of a multidisciplinary team***
32 ***and the Program concerning the death of a child who is less than***
33 ***1 year of age:***

34 ***(1) Are reported to the national database of the National***
35 ***Center for Fatality Review and Prevention, or its successor***
36 ***organization;***

37 ***(2) Are included in the statewide annual report on child***
38 ***deaths compiled by the Executive Committee to Review the Death***
39 ***of Children pursuant to NRS 432B.409; and***

40 ***(3) Are not duplicated in the reports described in***
41 ***subparagraphs (1) and (2) or any other reports that contain such***
42 ***data and findings.***

43 **Sec. 15.** NRS 432B.407 is hereby amended to read as follows:

44 432B.407 1. A multidisciplinary team to review the death of
45 a child is entitled to access to:



1 (a) All investigative information of law enforcement agencies
2 regarding the death;

3 (b) Any autopsy and coroner's investigative records relating to
4 the death;

5 (c) Any medical or mental health records of the child; and

6 (d) Any records of social and rehabilitative services or of any
7 other social service agency which has provided services to the child
8 or the child's family.

9 2. Each organization represented on a multidisciplinary team to
10 review the death of a child shall share with other members of the
11 team information in its possession concerning the child who is the
12 subject of the review, any siblings of the child, any person who was
13 responsible for the welfare of the child and any other information
14 deemed by the organization to be pertinent to the review.

15 3. A multidisciplinary team to review the death of a child may,
16 if appropriate, meet and share information with:

17 (a) A multidisciplinary team to review the death of the victim of
18 a crime that constitutes domestic violence organized or sponsored
19 pursuant to NRS 217.475; ~~for~~

20 (b) The Committee on Domestic Violence appointed pursuant to
21 NRS 228.470 ~~H~~; or

22 *(c) Representatives of the Fetal and Infant Mortality Review*
23 *Program established pursuant to section 8 of this act.*

24 4. A multidisciplinary team to review the death of a child may
25 petition the district court for the issuance of, and the district court
26 may issue, a subpoena to compel the production of any books,
27 records or papers relevant to the cause of any death being
28 investigated by the team. Except as otherwise provided in NRS
29 239.0115, any books, records or papers received by the team
30 pursuant to the subpoena shall be deemed confidential and
31 privileged and not subject to disclosure.

32 5. A multidisciplinary team to review the death of a child may
33 use data collected concerning the death of a child for the purpose of
34 research or to prevent future deaths of children if the data is
35 aggregated and does not allow for the identification of any person.

36 6. Except as otherwise provided in this section, information
37 acquired by, and the records of, a multidisciplinary team to review
38 the death of a child are confidential, must not be disclosed, and are
39 not subject to subpoena, discovery or introduction into evidence in
40 any civil or criminal proceeding.

41 **Sec. 16.** NRS 432B.409 is hereby amended to read as follows:

42 432B.409 1. The Administrator of the Division of Child and
43 Family Services shall establish an Executive Committee to Review
44 the Death of Children, consisting of:



1 (a) Representatives from multidisciplinary teams formed
2 pursuant to paragraph (a) of subsection 1 of NRS 432B.405 and
3 NRS 432B.406, vital statistics, law enforcement, public health and
4 the Office of the Attorney General.

5 (b) Administrators of agencies which provide child welfare
6 services, and agencies responsible for mental health and public
7 safety, to the extent that such administrators are not already
8 appointed pursuant to paragraph (a). Members of the Executive
9 Committee who are appointed pursuant to this paragraph shall serve
10 as nonvoting members.

11 2. The Executive Committee shall:

12 (a) Adopt statewide protocols for the review of the death of a
13 child;

14 (b) Adopt regulations to carry out the provisions of NRS
15 432B.403 to 432B.4095, inclusive;

16 (c) Adopt bylaws to govern the management and operation of
17 the Executive Committee;

18 (d) Appoint one or more multidisciplinary teams to review the
19 death of a child from the names submitted to the Executive
20 Committee pursuant to paragraph (b) of subsection 1 of
21 NRS 432B.405;

22 (e) Oversee training and development of multidisciplinary teams
23 to review the death of children;

24 (f) Compile and distribute a statewide annual report, including
25 statistics and recommendations for regulatory and policy changes;

26 ~~and~~

27 (g) Carry out the duties specified in NRS 432B.408 ~~and~~; and

28 *(h) Coordinate with the director or other authorized*
29 *representative of each agency which provides child welfare*
30 *services, each multidisciplinary team appointed pursuant to*
31 *paragraph (d) to review the death of a child who is less than 1 year*
32 *of age and the Fetal and Infant Mortality Review Program*
33 *established pursuant to section 8 of this act as necessary to:*

34 *(1) Avoid duplication of efforts;*

35 *(2) Clarify the scope of reviews conducted by a*
36 *multidisciplinary team and the Program when the*
37 *multidisciplinary team and the Program are each reviewing the*
38 *same death; and*

39 *(3) Ensure the data and findings of a multidisciplinary*
40 *team and the Program concerning the death of a child who is less*
41 *than 1 year of age;*

42 *(I) Are reported to the national database of the National*
43 *Center for Fatality Review and Prevention, or its successor*
44 *organization;*



1 *(II) Are included in the statewide annual report on child*
2 *deaths compiled by the Executive Committee to Review the Death*
3 *of Children pursuant to NRS 432B.409; and*

4 *(III) Are not duplicated in the reports described in sub-*
5 *subparagraphs (I) and (II) or any other reports that contain such*
6 *data and findings.*

7 3. The Review of Death of Children Account is hereby created
8 in the State General Fund. The Executive Committee may use
9 money in the Account to carry out the provisions of NRS 432B.403
10 to 432B.4095, inclusive.

11 **Sec. 17.** This act becomes effective on July 1, 2023.

