

ASSEMBLY BILL NO. 179—ASSEMBLYWOMEN GORELOW, THOMAS;
COHEN AND GONZÁLEZ

FEBRUARY 15, 2023

Referred to Committee on Health and Human Services

SUMMARY—Establishes the Perinatal Quality Collaborative.
(BDR 40-98)

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 Perinatal Quality Collaborative; prescribing the membership, objectives and duties of the Collaborative; providing for the appointment of the Executive Director and Clinical Director of the Collaborative; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law establishes the: (1) Advisory Board on Maternal and Child Health
2 to advise the Administrator of the Division of Public and Behavioral Health of the
3 Department of Health and Human Services, which performs certain duties relating
4 to perinatal care and programs to improve the health of preschool children; and (2)
5 Maternal Mortality Review Committee within the Department to identify and
6 review each incident of maternal mortality in this State. (NRS 442.133, 442.137,
7 442.764, 442.767) **Section 3** of this bill creates the Perinatal Quality Collaborative,
8 which consists of members who are representatives of various governmental
9 agencies and other persons who are involved in maternal and neonatal health care.
10 **Section 3** also establishes procedures governing the meetings and operations of the
11 Collaborative. **Sections 3 and 8** of this bill provide that the meetings of the
12 Collaborative are closed to the public, unless the Chair of the Collaborative opens a
13 meeting to the public. **Section 4** of this bill prescribes the objectives and duties of
14 the Collaborative and the actions the Collaborative is authorized to perform to
15 achieve its objectives. The objectives of the Collaborative include reducing: (1) the
16 number of premature births; (2) the rate of maternal morbidity and mortality; (3)
17 the rate of maternal substance use disorder; (4) the number of infants born with
18 neonatal abstinence syndrome and improve the identification of neonatal abstinence
19 syndrome in infants; (5) the disparities in pregnancy-related morbidities or death
20 for economically disadvantaged and racial and ethnic minority groups; and (6) the
21 costs of perinatal care. **Sections 4 and 6** of this bill entitle the Collaborative to
22 access certain records and information necessary to perform its duties. **Sections 4**



23 **and 7** of this bill provide that any record or information the Collaborative receives
24 is confidential, with certain exceptions. **Section 4** requires the Collaborative to
25 biennially report its findings and recommendations to the Legislature. **Section 5** of
26 this bill requires the Director of the Department to appoint: (1) an Executive
27 Director of the Collaborative to direct and supervise the administrative and
28 technical activities of the Collaborative and perform other duties as may be
29 assigned by the Director; and (2) a Clinical Director of the Collaborative to direct
30 and supervise the clinical activities of the Collaborative and perform other duties as
31 may be assigned by the Director.

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

1 **Section 1.** Chapter 442 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 to 5, inclusive, of this
3 act.

4 **Sec. 2.** *As used in sections 2 to 5, inclusive, of this act, unless*
5 *the context otherwise requires, "Collaborative" means the*
6 *Perinatal Quality Collaborative created by section 3 of this act.*

7 **Sec. 3. 1.** *The Perinatal Quality Collaborative is hereby*
8 *created within the Division.*

9 **2.** *The Collaborative consists of at least the following*
10 *members:*

11 *(a) The Administrator of the Division or a designee of the*
12 *Administrator;*

13 *(b) The Chair of the Maternal Mortality Review Committee*
14 *established by NRS 442.764, or a designee of the Chair;*

15 *(c) The Chair of the Advisory Board or a designee of the*
16 *Chair;*

17 *(d) The Chief Medical Officer or a designee of the Chief*
18 *Medical Officer;*

19 *(e) A physician who practices in this State and specializes in*
20 *the area of perinatology, appointed by the Administrator;*

21 *(f) The Manager of the Office of Minority Health and Equity*
22 *of the Department or a designee of the Manager;*

23 *(g) The President of the Nevada Public Health Association, or*
24 *its successor organization, or a designee of the President;*

25 *(h) The Chair of the Nevada Section of the American College*
26 *of Obstetricians and Gynecologists, or its successor organization,*
27 *or a designee of the Chair;*

28 *(i) The President of the Nevada Chapter of the American*
29 *Academy of Pediatrics, or its successor organization, or a designee*
30 *of the President;*

31 *(j) The President of the Nevada Chapter of the American*
32 *Academy of Family Physicians, or its successor organization, or a*
33 *designee of the President;*



1 (k) *The Chair of the Nevada Section of the Association of*
2 *Women's Health, Obstetric and Neonatal Nurses, or its successor*
3 *organization, or a designee of the Chair;*

4 (l) *A representative of each system of hospitals under common*
5 *ownership that operates a hospital with a maternity unit in this*
6 *State; and*

7 (m) *A midwife, appointed by the Director, who is certified as:*

8 (1) *A Certified Professional Midwife by the North*
9 *American Registry of Midwives, or its successor organization; or*

10 (2) *A Certified Nurse-Midwife or a Certified Midwife by the*
11 *American Midwifery Certification Board, or its successor*
12 *organization.*

13 3. *In addition to the members required by subsection 2, the*
14 *Collaborative may include, at the discretion of the persons and*
15 *entities listed in this subsection:*

16 (a) *The dean of any school of medicine in this State approved*
17 *by the Liaison Committee on Medical Education of the American*
18 *Medical Association and the Association of American Medical*
19 *Colleges, or its successor organization, or a designee of the dean;*

20 (b) *The dean of any school of osteopathic medicine in this*
21 *State accredited by the Commission on Osteopathic College*
22 *Accreditation of the American Osteopathic Association, or its*
23 *successor organization, or a designee of the dean; and*

24 (c) *A representative of any freestanding birthing center, as*
25 *defined in NRS 449.0065, in this State.*

26 4. *An appointed member of the Collaborative serves at the*
27 *pleasure of the appointing authority.*

28 5. *Members of the Collaborative serve without compensation*
29 *but are entitled to the per diem allowance and travel expenses*
30 *provided for state officers and employees generally.*

31 6. *At its first meeting and annually thereafter, the*
32 *Collaborative shall elect a Chair and a Vice Chair from among its*
33 *members.*

34 7. *The Collaborative shall meet at the call of the Chair or the*
35 *Director as is necessary to achieve its objectives and carry out its*
36 *duties.*

37 8. *A member of the Collaborative who is an officer or*
38 *employee of this State or a political subdivision of this State must*
39 *be relieved from his or her duties as an officer or employee*
40 *without loss of regular compensation so that the person may*
41 *prepare for and attend meetings of the Collaborative and perform*
42 *any work necessary to carry out duties of the Collaborative in the*
43 *most timely manner practicable. A state agency or political*
44 *subdivision of this State shall not require an officer or employee of*
45 *the Collaborative to make up the time the member is absent from*



1 *work to carry out the duties of the Collaborative or use annual*
2 *leave or compensatory time for the absence.*

3 *9. A majority of the members of the Collaborative constitutes*
4 *a quorum for the transaction of business and a majority of a*
5 *quorum present at any meeting is sufficient for any official action*
6 *taken by the Collaborative.*

7 *10. The meetings of the Collaborative are closed to the public,*
8 *unless the Chair opens a meeting to the public.*

9 *11. The Collaborative may apply for and accept gifts, grants*
10 *or donations from any source for the purpose of carrying out the*
11 *provisions of sections 2 to 5, inclusive, of this act.*

12 **Sec. 4. 1. The purposes of the Collaborative include,**
13 **without limitation:**

14 *(a) Decreasing the number of premature births in this State;*

15 *(b) Lowering the rates of maternal morbidity and mortality in*
16 *this State;*

17 *(c) Decreasing the rate of maternal substance use disorder and*
18 *the number of infants born with neonatal abstinence syndrome in*
19 *this State;*

20 *(d) Increasing the identification of neonatal abstinence*
21 *syndrome in infants in this State;*

22 *(e) Reducing pregnancy-related morbidities or death for*
23 *economically disadvantaged and racial and ethnic minority groups*
24 *in this State; and*

25 *(f) Reducing the costs of perinatal care in this State.*

26 **2. The Collaborative shall:**

27 *(a) Maintain and publish on its Internet website a list of*
28 *quality improvement projects to achieve its objectives based on*
29 *best practices and interventions;*

30 *(b) Identify performance metrics to set statewide quality*
31 *benchmarks relating to the objectives of the Collaborative;*

32 *(c) Provide the most recent data and best practices and*
33 *interventions on perinatal care to physicians, hospitals,*
34 *freestanding birthing centers, other relevant persons and entities*
35 *and the public, including, without limitation, by creating an*
36 *Internet website and conducting seminars in person and over the*
37 *Internet;*

38 *(d) Review and analyze the recommendations:*

39 *(1) Contained in the report prepared by the Maternal*
40 *Mortality Review Committee pursuant to paragraph (f) of*
41 *subsection 1 of NRS 442.767;*

42 *(2) Contained in the report prepared by the Executive*
43 *Committee to Review the Death of Children pursuant to*
44 *paragraph (f) of subsection 2 of NRS 432B.409; and*



1 (3) *Of any other program or committee established by any*
2 *agency or political subdivision of this State to address fetal death*
3 *or the death of infants;*

4 (e) *Develop recommendations to improve perinatal care in this*
5 *State, prioritizing the recommendations described in paragraph*
6 *(d); and*

7 (f) *On or before June 30 of each even-numbered year:*

8 (1) *Compile a report of its findings and recommendations;*

9 (2) *Submit the report compiled pursuant to subparagraph*
10 *(1) to the Director of the Legislative Counsel Bureau for*
11 *transmittal to the Joint Interim Standing Committee on Health*
12 *and Human Services; and*

13 (3) *Present the report compiled pursuant to subparagraph*
14 *(1) at a meeting of the Joint Interim Standing Committee on*
15 *Health and Human Services.*

16 3. *The Collaborative may:*

17 (a) *Partner with any hospital, freestanding birthing center,*
18 *school of medicine, nonprofit organization providing perinatal*
19 *care or serving an economically disadvantaged or racial or ethnic*
20 *minority group, expert in perinatal care or data collection and*
21 *analysis or other interested person or entity to assist the*
22 *Collaborative in achieving its objectives; and*

23 (b) *Take any other actions necessary to achieve the objectives*
24 *of the Collaborative and carry out its duties.*

25 4. *The Collaborative is entitled to access to:*

26 (a) *The reports prepared by the Maternal Mortality Review*
27 *Committee pursuant to paragraphs (e) and (f) of subsection 1 of*
28 *NRS 442.767 and the data, information and documents used in*
29 *creating such reports;*

30 (b) *The report prepared by the Executive Committee to Review*
31 *the Death of Children pursuant to paragraph (f) of subsection 2 of*
32 *NRS 432B.409;*

33 (c) *Any records of vital statistics maintained by this State or*
34 *any political subdivision of this State concerning the birth or death*
35 *of an infant or death of a person who gave birth, if the death*
36 *occurs not later than 12 months after the birth of the infant;*

37 (d) *The statewide system for the collection and analysis of*
38 *information concerning birth defects and other adverse birth*
39 *outcomes established pursuant to NRS 442.320;*

40 (e) *If the all-payer claims database is established pursuant to*
41 *NRS 439B.835, information from the all-payer claims database*
42 *concerning the cost of perinatal care; and*

43 (f) *Any other information that the Collaborative requires to*
44 *achieve its objectives and carry out its duties.*



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

6 6. *As used in this section:*

7 (a) *“Medical facility” has the meaning ascribed to it in*
8 *NRS 439.805.*

9 (b) *“Provider of health insurance” means an insurer,*
10 *producer of insurance, managing general agent, third-party*
11 *administrator, organization composed of or using preferred*
12 *providers of health care or health maintenance organization that*
13 *insures or assists in insuring persons against bodily injury,*
14 *disablement or death by accident or accidental means, or the*
15 *expense thereof, or against disablement or expense resulting from*
16 *sickness.*

17 (c) *“Vital statistics” has the meaning ascribed to its in*
18 *NRS 440.080.*

19 **Sec. 5. 1. The Director shall appoint:**

20 (a) *The Executive Director of the Collaborative.*

21 (b) *The Clinical Director of the Collaborative. The Clinical*
22 *Director must:*

23 (1) *Have received the degree of:*

24 (I) *Doctor of medicine from a medical school approved*
25 *by the Liaison Committee on Medical Education of the American*
26 *Medical Association and Association of American Medical*
27 *Colleges, or its successor organization; or*

28 (II) *Doctor of osteopathic medicine from a school of*
29 *osteopathic medicine accredited by the Commission on*
30 *Osteopathic College Accreditation of the American Osteopathic*
31 *Association, or its successor organization;*

32 (2) *Have completed a residency program in obstetrics and*
33 *gynecology approved by the Accreditation Council for Graduate*
34 *Medical Education, its successor organization or an equivalent*
35 *organization;*

36 (3) *Be currently certified in obstetrics and gynecology by a*
37 *specialty board of the American Board of Medical Specialties, its*
38 *successor organization or an equivalent organization;*

39 (4) *Be licensed to practice medicine or osteopathic*
40 *medicine in the District of Columbia or any state or territory of the*
41 *United States;*

42 (5) *Have at least 5 years of clinical practice experience in*
43 *the specialty area of obstetrics and gynecology; and*

44 (6) *To the extent practicable:*



1 (I) *Have completed a fellowship program in maternal-*
2 *fetal medicine approved by the Accreditation Council for Graduate*
3 *Medical Education, its successor organization or an equivalent*
4 *organization; and*

5 (II) *Be currently certified in maternal-fetal medicine, or*
6 *be eligible for such certification by a specialty board of the*
7 *American Board of Medical Specialties, its successor organization*
8 *or an equivalent organization.*

9 2. *The Executive Director:*

10 (a) *Is in the unclassified service of the State and serves at the*
11 *pleasure of the Director, except that the Executive Director may be*
12 *removed by the Collaborative upon a finding that the performance*
13 *of the Executive Director is unsatisfactory.*

14 (b) *Shall direct and supervise the administrative and technical*
15 *activities of the Collaborative and perform other duties as directed*
16 *by the Director and as advised by the Collaborative.*

17 (c) *Must not be a member of the Collaborative.*

18 3. *The Clinical Director:*

19 (a) *Is in the unclassified service of the State and serves at the*
20 *pleasure of the Director, except that the Clinical Director may be*
21 *removed by the Collaborative upon a finding that the performance*
22 *of the Clinical Director is unsatisfactory.*

23 (b) *Shall direct and supervise the clinical activities of the*
24 *Collaborative and perform other duties as directed by the Director*
25 *and as advised by the Collaborative.*

26 (c) *Must not be a member of the Collaborative.*

27 4. *The Division shall provide any additional personnel,*
28 *facilities, equipment and supplies required by the Collaborative to*
29 *carry out the provisions of sections 2 to 5, inclusive, of this act.*

30 **Sec. 6.** NRS 442.774 is hereby amended to read as follows:

31 442.774 1. The Committee is entitled to access to:

32 (a) All final investigative information of law enforcement
33 agencies regarding a maternal death or incident of severe maternal
34 morbidity being investigated by the Committee for which the
35 investigation by the law enforcement agency has been closed;

36 (b) Any autopsy and coroner's investigative records relating to
37 the death or incident;

38 (c) Any medical or mental health records of the person who
39 gave birth to a child;

40 (d) Any records of social and rehabilitative services or of any
41 other social service agency which has provided services to the
42 person who gave birth to a child or the family of the person who
43 gave birth to a child;

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



1 (f) Any other records determined by the Committee to be
2 necessary to perform its duties, except for records of a law
3 enforcement agency not described in paragraph (a).

4 2. The Committee may, if appropriate, meet and share
5 information with:

6 (a) A multidisciplinary team to review the death of the victim of
7 a crime that constitutes domestic violence organized or sponsored
8 pursuant to NRS 217.475; or

9 (b) The Committee on Domestic Violence appointed pursuant to
10 NRS 228.470.

11 3. The Committee may petition the district court for the
12 issuance of, and the district court may issue, a subpoena to compel
13 the production of any books, records or papers described in
14 subsection 1 that are relevant to the cause of any death or incident of
15 severe maternal morbidity being investigated by the Committee.
16 Except as otherwise provided in NRS 239.0115, any books, records
17 or papers received by the Committee pursuant to the subpoena shall
18 be deemed confidential and privileged and not subject to disclosure.

19 4. The Committee may use data collected concerning a
20 maternal death or incident of severe maternal morbidity for the
21 purpose of research or to prevent future maternal mortality and
22 severe maternal morbidity if the data is aggregated and does not
23 allow for the identification of any person.

24 5. Except as otherwise provided in this section **§** and **section**
25 **4 of this act**, information acquired by, and the records of, the
26 Committee are confidential, are not public records, must not be
27 disclosed, and are not subject to subpoena, discovery or introduction
28 into evidence in any civil or criminal proceeding.

29 6. The meetings of the Committee are closed to the public.

30 **Sec. 7.** NRS 239.010 is hereby amended to read as follows:

31 239.010 1. Except as otherwise provided in this section and
32 NRS 1.4683, 1.4687, 1A.110, 3.2203, 41.0397, 41.071, 49.095,
33 49.293, 62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030,
34 62H.170, 62H.220, 62H.320, 75A.100, 75A.150, 76.160, 78.152,
35 80.113, 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413,
36 87A.200, 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345,
37 88A.7345, 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270,
38 116B.880, 118B.026, 119.260, 119.265, 119.267, 119.280,
39 119A.280, 119A.653, 119A.677, 119B.370, 119B.382, 120A.640,
40 120A.690, 125.130, 125B.140, 126.141, 126.161, 126.163, 126.730,
41 127.007, 127.057, 127.130, 127.140, 127.2817, 128.090, 130.312,
42 130.712, 136.050, 159.044, 159A.044, 172.075, 172.245, 176.015,
43 176.0625, 176.09129, 176.156, 176A.630, 178.39801, 178.4715,
44 178.5691, 179.495, 179A.070, 179A.165, 179D.160, 200.3771,
45 200.3772, 200.5095, 200.604, 202.3662, 205.4651, 209.392,



1 209.3923, 209.3925, 209.419, 209.429, 209.521, 211A.140,
2 213.010, 213.040, 213.095, 213.131, 217.105, 217.110, 217.464,
3 217.475, 218A.350, 218E.625, 218F.150, 218G.130, 218G.240,
4 218G.350, 224.240, 226.300, 228.270, 228.450, 228.495, 228.570,
5 231.069, 231.1473, 232.1369, 233.190, 237.300, 239.0105,
6 239.0113, 239.014, 239B.026, 239B.030, 239B.040, 239B.050,
7 239C.140, 239C.210, 239C.230, 239C.250, 239C.270, 239C.420,
8 240.007, 241.020, 241.030, 241.039, 242.105, 244.264, 244.335,
9 247.540, 247.550, 247.560, 250.087, 250.130, 250.140, 250.150,
10 268.095, 268.0978, 268.490, 268.910, 269.174, 271A.105, 281.195,
11 281.805, 281A.350, 281A.680, 281A.685, 281A.750, 281A.755,
12 281A.780, 284.4068, 284.4086, 286.110, 286.118, 287.0438,
13 289.025, 289.080, 289.387, 289.830, 293.4855, 293.5002, 293.503,
14 293.504, 293.558, 293.5757, 293.870, 293.906, 293.908, 293.910,
15 293B.135, 293D.510, 331.110, 332.061, 332.351, 333.333, 333.335,
16 338.070, 338.1379, 338.1593, 338.1725, 338.1727, 348.420,
17 349.597, 349.775, 353.205, 353A.049, 353A.085, 353A.100,
18 353C.240, 360.240, 360.247, 360.255, 360.755, 361.044, 361.2242,
19 361.610, 365.138, 366.160, 368A.180, 370.257, 370.327, 372A.080,
20 378.290, 378.300, 379.0075, 379.008, 379.1495, 385A.830,
21 385B.100, 387.626, 387.631, 388.1455, 388.259, 388.501, 388.503,
22 388.513, 388.750, 388A.247, 388A.249, 391.033, 391.035,
23 391.0365, 391.120, 391.925, 392.029, 392.147, 392.264, 392.271,
24 392.315, 392.317, 392.325, 392.327, 392.335, 392.850, 393.045,
25 394.167, 394.16975, 394.1698, 394.447, 394.460, 394.465,
26 396.1415, 396.1425, 396.143, 396.159, 396.3295, 396.405, 396.525,
27 396.535, 396.9685, 398A.115, 408.3885, 408.3886, 408.3888,
28 408.5484, 412.153, 414.280, 416.070, 422.2749, 422.305,
29 422A.342, 422A.350, 425.400, 427A.1236, 427A.872, 432.028,
30 432.205, 432B.175, 432B.280, 432B.290, 432B.4018, 432B.407,
31 432B.430, 432B.560, 432B.5902, 432C.140, 432C.150, 433.534,
32 433A.360, 439.4941, 439.4988, 439.840, 439.914, 439A.116,
33 439A.124, 439B.420, 439B.754, 439B.760, 439B.845, 440.170,
34 441A.195, 441A.220, 441A.230, 442.330, 442.395, 442.735,
35 442.774, 445A.665, 445B.570, 445B.7773, 447.345, 449.209,
36 449.245, 449.4315, 449A.112, 450.140, 450B.188, 450B.805,
37 453.164, 453.720, 458.055, 458.280, 459.050, 459.3866, 459.555,
38 459.7056, 459.846, 463.120, 463.15993, 463.240, 463.3403,
39 463.3407, 463.790, 467.1005, 480.535, 480.545, 480.935, 480.940,
40 481.063, 481.091, 481.093, 482.170, 482.368, 482.5536, 483.340,
41 483.363, 483.575, 483.659, 483.800, 484A.469, 484B.830,
42 484B.833, 484E.070, 485.316, 501.344, 503.452, 522.040,
43 534A.031, 561.285, 571.160, 584.655, 587.877, 598.0964, 598.098,
44 598A.110, 598A.420, 599B.090, 603.070, 603A.210, 604A.303,
45 604A.710, 612.265, 616B.012, 616B.015, 616B.315, 616B.350,



1 618.341, 618.425, 622.238, 622.310, 623.131, 623A.137, 624.110,
2 624.265, 624.327, 625.425, 625A.185, 628.418, 628B.230,
3 628B.760, 629.047, 629.069, 630.133, 630.2671, 630.2672,
4 630.2673, 630.30665, 630.336, 630A.327, 630A.555, 631.332,
5 631.368, 632.121, 632.125, 632.3415, 632.3423, 632.405, 633.283,
6 633.301, 633.4715, 633.4716, 633.4717, 633.524, 634.055,
7 634.1303, 634.214, 634A.169, 634A.185, 635.111, 635.158,
8 636.262, 636.342, 637.085, 637.145, 637B.192, 637B.288, 638.087,
9 638.089, 639.183, 639.2485, 639.570, 640.075, 640.152, 640A.185,
10 640A.220, 640B.405, 640B.730, 640C.580, 640C.600, 640C.620,
11 640C.745, 640C.760, 640D.135, 640D.190, 640E.225, 640E.340,
12 641.090, 641.221, 641.2215, 641.325, 641A.191, 641A.217,
13 641A.262, 641B.170, 641B.281, 641B.282, 641C.455, 641C.760,
14 641D.260, 641D.320, 642.524, 643.189, 644A.870, 645.180,
15 645.625, 645A.050, 645A.082, 645B.060, 645B.092, 645C.220,
16 645C.225, 645D.130, 645D.135, 645G.510, 645H.320, 645H.330,
17 647.0945, 647.0947, 648.033, 648.197, 649.065, 649.067, 652.126,
18 652.228, 653.900, 654.110, 656.105, 657A.510, 661.115, 665.130,
19 665.133, 669.275, 669.285, 669A.310, 671.170, 673.450, 673.480,
20 675.380, 676A.340, 676A.370, 677.243, 678A.470, 678C.710,
21 678C.800, 679B.122, 679B.124, 679B.152, 679B.159, 679B.190,
22 679B.285, 679B.690, 680A.270, 681A.440, 681B.260, 681B.410,
23 681B.540, 683A.0873, 685A.077, 686A.289, 686B.170, 686C.306,
24 687A.060, 687A.115, 687B.404, 687C.010, 688C.230, 688C.480,
25 688C.490, 689A.696, 692A.117, 692C.190, 692C.3507, 692C.3536,
26 692C.3538, 692C.354, 692C.420, 693A.480, 693A.615, 696B.550,
27 696C.120, 703.196, 704B.325, 706.1725, 706A.230, 710.159,
28 711.600, *and section 4 of this act*, sections 35, 38 and 41 of chapter
29 478, Statutes of Nevada 2011 and section 2 of chapter 391, Statutes
30 of Nevada 2013 and unless otherwise declared by law to be
31 confidential, all public books and public records of a governmental
32 entity must be open at all times during office hours to inspection by
33 any person, and may be fully copied or an abstract or memorandum
34 may be prepared from those public books and public records. Any
35 such copies, abstracts or memoranda may be used to supply the
36 general public with copies, abstracts or memoranda of the records or
37 may be used in any other way to the advantage of the governmental
38 entity or of the general public. This section does not supersede or in
39 any manner affect the federal laws governing copyrights or enlarge,
40 diminish or affect in any other manner the rights of a person in any
41 written book or record which is copyrighted pursuant to federal law.
42 2. A governmental entity may not reject a book or record
43 which is copyrighted solely because it is copyrighted.
44 3. A governmental entity that has legal custody or control of a
45 public book or record shall not deny a request made pursuant to



1 subsection 1 to inspect or copy or receive a copy of a public book or
2 record on the basis that the requested public book or record contains
3 information that is confidential if the governmental entity can
4 redact, delete, conceal or separate, including, without limitation,
5 electronically, the confidential information from the information
6 included in the public book or record that is not otherwise
7 confidential.

8 4. If requested, a governmental entity shall provide a copy of a
9 public record in an electronic format by means of an electronic
10 medium. Nothing in this subsection requires a governmental entity
11 to provide a copy of a public record in an electronic format or by
12 means of an electronic medium if:

- 13 (a) The public record:
14 (1) Was not created or prepared in an electronic format; and
15 (2) Is not available in an electronic format; or
16 (b) Providing the public record in an electronic format or by
17 means of an electronic medium would:
18 (1) Give access to proprietary software; or
19 (2) Require the production of information that is confidential
20 and that cannot be redacted, deleted, concealed or separated from
21 information that is not otherwise confidential.

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

- 24 (a) Shall not refuse to provide a copy of that public record in the
25 medium that is requested because the officer, employee or agent has
26 already prepared or would prefer to provide the copy in a different
27 medium.
28 (b) Except as otherwise provided in NRS 239.030, shall, upon
29 request, prepare the copy of the public record and shall not require
30 the person who has requested the copy to prepare the copy himself
31 or herself.

32 **Sec. 8.** NRS 241.016 is hereby amended to read as follows:

33 241.016 1. The meetings of a public body that are quasi-
34 judicial in nature are subject to the provisions of this chapter.

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

- 37 (a) The Legislature of the State of Nevada.
38 (b) Judicial proceedings, including, without limitation,
39 proceedings before the Commission on Judicial Selection and,
40 except as otherwise provided in NRS 1.4687, the Commission on
41 Judicial Discipline.
42 (c) Meetings of the State Board of Parole Commissioners when
43 acting to grant, deny, continue or revoke the parole of a prisoner or
44 to establish or modify the terms of the parole of a prisoner.



1 3. Any provision of law, including, without limitation, NRS
2 91.270, 219A.210, 228.495, 239C.140, 239C.420, 241.028,
3 281A.350, 281A.690, 281A.735, 281A.760, 284.3629, 286.150,
4 287.0415, 287.04345, 287.338, 288.220, 288.590, 289.387, 295.121,
5 315.98425, 360.247, 388.261, 388.385, 388A.495, 388C.150,
6 388D.355, 388G.710, 388G.730, 392.147, 392.466, 392.467,
7 392.4671, 394.1699, 396.1415, 396.3295, 414.270, 422.405,
8 433.534, 435.610, 442.774, 463.110, 480.545, 622.320, 622.340,
9 630.311, 630.336, 631.3635, 639.050, 642.518, 642.557, 686B.170,
10 696B.550, 703.196 and 706.1725, *and section 3 of this act*, which:

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

13 (b) Otherwise authorizes or requires a closed meeting, hearing
14 or proceeding,

15 ➤ prevails over the general provisions of this chapter.

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

21 **Sec. 9.** The provisions of subsection 1 of NRS 218D.380 do
22 not apply to any provision of this act which adds or revises a
23 requirement to submit a report to the Legislature.

