

Assembly Bill No. 381—Assemblymen Titus,
Benitez-Thompson; Hansen and Leavitt

Joint Sponsors: Senators Ratti and Hardy

CHAPTER.....

AN ACT relating to days of observance; designating April 16 as
“Healthcare Decisions Day” in Nevada; and providing other
matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law sets forth certain days of observance in this State to commemorate certain persons or occasions or to publicize information regarding certain important topics. (NRS 236.018-236.085) This bill designates April 16 of each year as “Healthcare Decisions Day” in the State of Nevada.

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

WHEREAS, An advance directive for health care by a person who is an adult, particularly if it is executed or revised after conversations with the person’s loved ones and health care providers about the person’s wishes concerning his or her health care, can help to ensure that the person receives health care in accordance with his or her wishes if the person becomes unable, for any reason, to communicate those wishes for himself or herself; and

WHEREAS, Nevada law authorizes various kinds of advance directives for health care, including a durable power of attorney for health care decisions, a declaration governing the withholding or withdrawal of life-sustaining treatment, a provider order for life-sustaining treatment (POLST), an advance directive for psychiatric care and a do-not-resuscitate order, and the Secretary of State maintains an electronic registry of such advance directives on a public website; and

WHEREAS, Despite the availability of those advance directives which allow Nevadans to make known their wishes concerning their health care if they are unable to communicate those wishes themselves, many Nevadans are unaware of their availability and do not have the appropriate conversations with their loved ones and health care providers to make known their wishes; and

WHEREAS, The most significant reasons for the failure of more Nevadans to execute advance directives include the lack of awareness of the availability of such directives and considerable confusion about advance health care planning and advance directives; and



WHEREAS, Historically there has been a collaborative effort of numerous national, state and community organizations that are committed to ensuring that all adults with decision-making capacity in the United States have the information and opportunity to communicate and document their health care decisions and to encourage designation of Healthcare Decisions Day; and

WHEREAS, The National Healthcare Decisions Day initiative is intended to raise public awareness of the need to plan ahead for health care decisions related to end of life care and medical decision-making whenever patients are unable to speak for themselves and to encourage the specific use of advance directives to communicate these important health care decisions; and

WHEREAS, One of the principal goals of designating a Healthcare Decisions Day is to encourage hospitals, nursing homes, assisted living facilities, continuing care retirement communities, and hospice facilities to participate in a statewide effort to provide clear and consistent information to the public about advance directives and increase the number of Nevadans who have an advance directive; and

WHEREAS, The Legislature wishes to encourage all Nevadans to have conversations about their wishes concerning their health care and to execute advance directives to make those wishes known, and to ensure that fewer Nevada families and health care providers will have to struggle with making difficult health care decisions in the absence of knowledge of the wishes of the patient; now, therefore,

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

Section 1. Chapter 236 of NRS is hereby amended by adding thereto a new section to read as follows:

1. April 16 of each year is designated as “Healthcare Decisions Day” in the State of Nevada.

2. The Governor shall issue annually a proclamation encouraging the observance of “Healthcare Decisions Day.” The proclamation must, without limitation, call upon the news media, state and local officers, hospitals, nursing homes, assisted living facilities, continuing care retirement communities, hospice facilities, private nonprofit groups and foundations, and other public and private entities to bring to the attention of the adults in this State the importance of discussing the manner in which they would like to have their health care wishes carried out and of using an advance directive to express those wishes.



Sec. 2. This act becomes effective upon passage and approval.

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