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FIRST REPRINT

A.B. 460

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



* A B 4 6 0 R 1 *

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
2 follows:

3 449.0153 1. “Nursing pool” means a person or agency which
4 provides for compensation, through its employees or by contractual
5 arrangement with other persons, *infusion or private duty* nursing
6 services to any natural person . ~~[, medical facility or facility for the~~
7 ~~dependent.]~~

8 2. The term does not include:

9 (a) An independent contractor who provides such services
10 without the assistance of employees;

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

13 (c) A provider of community-based living arrangement services
14 during any period in which the provider of community-based living
15 arrangement services is engaged in providing community-based
16 living arrangement services; ~~or~~

17 (d) A provider of supported living arrangement services during
18 any period in which the provider of supported living arrangement
19 services is engaged in providing supported living arrangement
20 services ~~or~~;

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

24 (1) *The provider of health care or other person is not an*
25 *employee of the entity assisting in the hiring or contracting of the*
26 *provider of health care or other person; and*

27 (2) *The medical facility sets the terms of employment of the*
28 *provider of health care or other person, including, without*
29 *limitation, compensation;*

30 (f) *A private employment agency licensed pursuant to NRS*
31 *611.045; or*

32 (g) *A professional employer organization licensed pursuant to*
33 *NRS 611.410.*

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

