

SENATE BILL NO. 390—SENATORS SCHEIBLE, NEAL;
DALY, D. HARRIS AND OHRENSCHALL

MARCH 27, 2023

Referred to Committee on Health and Human Services

SUMMARY—Enacts provisions relating to neurodegenerative diseases. (BDR 40-135)

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; authorizing the University of Nevada, Las Vegas, to establish and maintain a system for the reporting and analysis of certain information on neurodegenerative diseases; authorizing a patient to opt in to the reporting of such information; authorizing the University of Nevada, Las Vegas, to establish and maintain an Internet website for the system; making an appropriation; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law requires the Chief Medical Officer appointed by the Director of
2 the Department of Health and Human Services to establish and maintain systems
3 for the reporting of information on: (1) sickle cell disease and its variants; (2) lupus
4 and its variants; and (3) cancer and other neoplasms. (NRS 439.4929, 439.4976,
5 457.230) Existing law requires the chief administrative officer of each health care
6 facility in this State to make available to the Chief Medical Officer or his or her
7 representative the records of the health care facility for each reportable incidence of
8 sickle cell disease or a variant thereof, lupus or a variant thereof, or cancer or
9 another neoplasm. (NRS 439.4933, 439.498, 457.250) **Sections 3-8** of this bill
10 define certain terms for the purposes of **sections 2-17** of this bill. **Section 9** of this
11 bill authorizes the University of Nevada, Las Vegas, to establish and maintain a
12 similar system for the reporting of information on Parkinson’s disease,
13 Parkinsonisms, Alzheimer’s disease and other neurodegenerative diseases
14 prescribed by the University of Nevada, Las Vegas. **Sections 9 and 10** of this bill
15 require hospitals, medical laboratories, certain other facilities and providers of
16 health care to report certain information prescribed by the University of Nevada,
17 Las Vegas, concerning cases of such neurodegenerative diseases diagnosed or
18 treated at the facility or by the provider, as applicable, if the system is established



19 and the patient opts in to such reporting. **Section 11** of this bill prescribes a
20 procedure by which a patient may opt in to the reporting of information relating to
21 him or her. **Section 14.5** of this bill authorizes the University of Nevada, Las
22 Vegas, to: (1) establish and maintain an Internet website for the system; and (2)
23 post an annual report concerning the activities of the system on that Internet
24 website. **Section 15** of this bill authorizes the University of Nevada, Las Vegas, to
25 apply for and accept gifts, grants and donations to carry out the provisions of
26 **sections 2-17** of this bill. **Sections 10, 16 and 18** of this bill provide for the
27 confidentiality of the reported information concerning patients, providers of health
28 care and facilities. **Section 17** of this bill provides immunity from liability for any
29 person or organization who discloses information in good faith to the University of
30 Nevada, Las Vegas, in accordance with the requirements of **sections 9 and 10**.
31 **Section 18.5** of this bill appropriates money to the Department of Brain Health at
32 the University of Nevada, Las Vegas, to establish and maintain: (1) the system for
33 the reporting of information on neurodegenerative diseases pursuant to **section 9**;
34 and (2) the Internet website for the system pursuant to **section 14.5**.

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

1 **Section 1.** Chapter 439 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 to 17, inclusive, of this
3 act.

4 **Sec. 2.** *As used in sections 2 to 17, inclusive, of this act,*
5 *unless the context otherwise requires, the words and terms defined*
6 *in sections 3 to 8, inclusive, of this act have the meanings ascribed*
7 *to them in those sections.*

8 **Sec. 3.** *“Health care facility” has the meaning ascribed to it*
9 *in NRS 162A.740.*

10 **Sec. 4.** *“Medical laboratory” has the meaning ascribed to it*
11 *in NRS 652.060.*

12 **Sec. 5.** *“Neurodegenerative disease” means a chronic and*
13 *progressive neurological disease that affects the central nervous*
14 *system and causes neurons to stop working or die, including,*
15 *without limitation, Parkinson’s disease, Parkinsonisms and*
16 *Alzheimer’s disease.*

17 **Sec. 6.** *“Parkinsonisms” means conditions that cause a*
18 *combination of the movement abnormalities seen in Parkinson’s*
19 *disease which overlap with and evolve from Parkinson’s disease.*

20 **Sec. 7.** *“Parkinson’s disease” means a chronic and*
21 *progressive neurological disorder resulting from a deficiency of*
22 *the neurotransmitter dopamine as a consequence of specific*
23 *degenerative changes in the basal ganglia of the brain.*

24 **Sec. 8.** *“Provider of health care” has the meaning ascribed*
25 *to it in NRS 629.031.*



1 **Sec. 9. 1. The University of Nevada, Las Vegas, may**
2 *establish and maintain a system for the reporting of information*
3 *on neurodegenerative diseases.*

4 2. *If a system for the reporting of information on*
5 *neurodegenerative diseases is established pursuant to subsection*
6 *1, the system must include a record of the cases of*
7 *neurodegenerative diseases for which reporting is required*
8 *pursuant to section 10 of this act and for which patients opt in to*
9 *such reporting pursuant to section 11 of this act which occur in*
10 *this State along with such information concerning those cases as*
11 *may be appropriate to form the basis for:*

12 (a) *Conducting comprehensive epidemiologic surveys of*
13 *neurodegenerative diseases in this State; and*

14 (b) *Evaluating the appropriateness of measures for the*
15 *prevention and control of neurodegenerative diseases.*

16 3. *If a system for the reporting of information on*
17 *neurodegenerative diseases is established pursuant to subsection*
18 *1, hospitals, medical laboratories and other facilities that provide*
19 *screening, diagnostic or therapeutic services to patients with*
20 *respect to neurodegenerative diseases shall report to the system the*
21 *information prescribed by the University of Nevada, Las Vegas,*
22 *pursuant to section 10 of this act for patients who opt in to such*
23 *reporting pursuant to section 11 of this act.*

24 4. *If a system for the reporting of information on*
25 *neurodegenerative diseases is established pursuant to subsection*
26 *1, the provider of health care who diagnoses or is primarily*
27 *responsible for providing treatment for a neurodegenerative*
28 *disease, except for a case directly referred to the provider or a case*
29 *that has been previously admitted to a hospital, medical laboratory*
30 *or other facility described in subsection 3, shall report to the*
31 *system the information prescribed by the University of Nevada,*
32 *Las Vegas, pursuant to section 10 of this act for patients who opt*
33 *in to such reporting pursuant to section 11 of this act.*

34 **Sec. 10.** *If a system for the reporting of information on*
35 *neurodegenerative diseases is established pursuant to section 9 of*
36 *this act, the University of Nevada, Las Vegas, shall:*

37 1. *Prescribe the neurodegenerative diseases for which*
38 *information must, to the extent authorized by section 11 of this*
39 *act, be reported, which may include, without limitation,*
40 *Parkinson's disease, Parkinsonisms and Alzheimer's disease;*

41 2. *Prescribe the form and manner in which information on*
42 *cases of neurodegenerative diseases must be reported;*

43 3. *Prescribe the information that must be included in each*
44 *report, including, without limitation:*

45 (a) *The name, address, age and ethnicity of the patient;*



1 (b) *The neurodegenerative disease which the person has been*
2 *diagnosed;*

3 (c) *The method of treatment, including, without limitation, any*
4 *medication prescribed for the patient and whether the patient has*
5 *adequate access to that medication;*

6 (d) *Any other disease from which the patient suffers;*

7 (e) *Information concerning the usage of and access to health*
8 *care services by the patient; and*

9 (f) *If a patient is diagnosed with a neurodegenerative disease*
10 *and dies, his or her age at death; and*

11 4. *Establish protocol for allowing access to and preserving*
12 *the confidentiality of the records of patients needed for research*
13 *into neurodegenerative diseases.*

14 **Sec. 11.** 1. *If a system for the reporting of information on*
15 *neurodegenerative diseases is established pursuant to section 9 of*
16 *this act, the University of Nevada, Las Vegas, shall prescribe a*
17 *form which provides a patient with:*

18 (a) *Written notice concerning the collection of information*
19 *pursuant to sections 2 to 17, inclusive, of this act and the purposes*
20 *for which such information is collected; and*

21 (b) *The opportunity to opt in to the collection of such*
22 *information by executing the form.*

23 2. *If a system for the reporting of information on*
24 *neurodegenerative diseases is established pursuant to section 9 of*
25 *this act, a hospital, medical laboratory or other facility that*
26 *provides screening, diagnostic or therapeutic services to patients*
27 *with respect to neurodegenerative diseases or a provider of health*
28 *care who diagnoses or provides treatment for neurodegenerative*
29 *diseases shall provide to each patient with a neurodegenerative*
30 *disease for which reporting is required pursuant to section 10 of*
31 *this act:*

32 (a) *Oral notice concerning the collection of information*
33 *pursuant to sections 2 to 17, inclusive, of this act and the purpose*
34 *for which such information is collected; and*

35 (b) *A copy of the form prescribed pursuant to subsection 1.*

36 3. *The hospital, medical laboratory, other facility or provider*
37 *of health care, as applicable, shall provide the patient with*
38 *sufficient time to review any documents provided to him or her*
39 *and answer any questions of the patient concerning the provisions*
40 *of sections 2 to 17, inclusive, of this act.*

41 4. *If a patient does not execute the form provided to the*
42 *patient pursuant to subsection 2, the hospital, medical laboratory,*
43 *other facility or provider of health care, as applicable, shall not*
44 *report any information concerning the patient pursuant to section*
45 *9 of this act.*



1 **Sec. 12.** (Deleted by amendment.)

2 **Sec. 13.** (Deleted by amendment.)

3 **Sec. 14.** (Deleted by amendment.)

4 **Sec. 14.5.** *If a system for the reporting of information on*
5 *neurodegenerative diseases is established pursuant to section 9 of*
6 *this act, the University of Nevada, Las Vegas, may establish and*
7 *maintain an Internet website for the system that may include,*
8 *without limitation:*

9 1. *An annual summary of the activities conducted pursuant to*
10 *sections 2 to 17, inclusive, of this act, which may include, without*
11 *limitation:*

12 (a) *The incidence and prevalence of Parkinson's disease,*
13 *Parkinsonisms and Alzheimer's disease reported to the system*
14 *during the immediately preceding year, in total and disaggregated*
15 *for each county of this State;*

16 (b) *The number of reports made to the system pursuant to*
17 *section 9 of this act for the immediately preceding year; and*

18 (c) *Demographic information concerning the patients to which*
19 *the reports described in paragraph (b) pertain, including, without*
20 *limitation, information concerning the age, sex and race of such*
21 *patients.*

22 2. *Other information relating to the system.*

23 **Sec. 15.** *If a system for the reporting of information on*
24 *neurodegenerative diseases is established pursuant to section 9 of*
25 *this act, the University of Nevada, Las Vegas, may apply for and*
26 *accept any gifts, grants and donations available to:*

27 1. *Carry out the provisions of sections 2 to 17, inclusive, of*
28 *this act;*

29 2. *Coordinate with any other state programs relating to*
30 *research concerning neurodegenerative diseases or assistance to*
31 *patients diagnosed with neurodegenerative diseases;*

32 3. *Pay for research concerning neurodegenerative diseases;*

33 4. *Provide education concerning neurodegenerative diseases;*
34 *and*

35 5. *Provide support to persons diagnosed with*
36 *neurodegenerative diseases.*

37 **Sec. 16.** *If the system for the reporting of information on*
38 *neurodegenerative diseases is established pursuant to section 9 of*
39 *this act, the University of Nevada, Las Vegas, shall not reveal the*
40 *identity of any patient, provider of health care or health care*
41 *facility which is involved in the reporting required by section 9 of*
42 *this act, unless the patient, provider of health care or health care*
43 *facility gives prior written consent to such a disclosure.*

44 **Sec. 17.** *A person or governmental entity that provides*
45 *information to the University of Nevada, Las Vegas, in accordance*



1 *with sections 9 and 10 of this act must not be held liable in a civil*
2 *or criminal action for sharing confidential information unless the*
3 *person or organization has done so in bad faith or with malicious*
4 *purpose.*

5 **Sec. 18.** NRS 239.010 is hereby amended to read as follows:

6 239.010 1. Except as otherwise provided in this section and
7 NRS 1.4683, 1.4687, 1A.110, 3.2203, 41.0397, 41.071, 49.095,
8 49.293, 62D.420, 62D.440, 62E.516, 62E.620, 62H.025, 62H.030,
9 62H.170, 62H.220, 62H.320, 75A.100, 75A.150, 76.160, 78.152,
10 80.113, 81.850, 82.183, 86.246, 86.54615, 87.515, 87.5413,
11 87A.200, 87A.580, 87A.640, 88.3355, 88.5927, 88.6067, 88A.345,
12 88A.7345, 89.045, 89.251, 90.730, 91.160, 116.757, 116A.270,
13 116B.880, 118B.026, 119.260, 119.265, 119.267, 119.280,
14 119A.280, 119A.653, 119A.677, 119B.370, 119B.382, 120A.640,
15 120A.690, 125.130, 125B.140, 126.141, 126.161, 126.163, 126.730,
16 127.007, 127.057, 127.130, 127.140, 127.2817, 128.090, 130.312,
17 130.712, 136.050, 159.044, 159A.044, 172.075, 172.245, 176.015,
18 176.0625, 176.09129, 176.156, 176A.630, 178.39801, 178.4715,
19 178.5691, 179.495, 179A.070, 179A.165, 179D.160, 200.3771,
20 200.3772, 200.5095, 200.604, 202.3662, 205.4651, 209.392,
21 209.3923, 209.3925, 209.419, 209.429, 209.521, 211A.140,
22 213.010, 213.040, 213.095, 213.131, 217.105, 217.110, 217.464,
23 217.475, 218A.350, 218E.625, 218F.150, 218G.130, 218G.240,
24 218G.350, 224.240, 226.300, 228.270, 228.450, 228.495, 228.570,
25 231.069, 231.1473, 232.1369, 233.190, 237.300, 239.0105,
26 239.0113, 239.014, 239B.026, 239B.030, 239B.040, 239B.050,
27 239C.140, 239C.210, 239C.230, 239C.250, 239C.270, 239C.420,
28 240.007, 241.020, 241.030, 241.039, 242.105, 244.264, 244.335,
29 247.540, 247.550, 247.560, 250.087, 250.130, 250.140, 250.150,
30 268.095, 268.0978, 268.490, 268.910, 269.174, 271A.105, 281.195,
31 281.805, 281A.350, 281A.680, 281A.685, 281A.750, 281A.755,
32 281A.780, 284.4068, 284.4086, 286.110, 286.118, 287.0438,
33 289.025, 289.080, 289.387, 289.830, 293.4855, 293.5002, 293.503,
34 293.504, 293.558, 293.5757, 293.870, 293.906, 293.908, 293.910,
35 293B.135, 293D.510, 331.110, 332.061, 332.351, 333.333, 333.335,
36 338.070, 338.1379, 338.1593, 338.1725, 338.1727, 348.420,
37 349.597, 349.775, 353.205, 353A.049, 353A.085, 353A.100,
38 353C.240, 360.240, 360.247, 360.255, 360.755, 361.044, 361.2242,
39 361.610, 365.138, 366.160, 368A.180, 370.257, 370.327, 372A.080,
40 378.290, 378.300, 379.0075, 379.008, 379.1495, 385A.830,
41 385B.100, 387.626, 387.631, 388.1455, 388.259, 388.501, 388.503,
42 388.513, 388.750, 388A.247, 388A.249, 391.033, 391.035,
43 391.0365, 391.120, 391.925, 392.029, 392.147, 392.264, 392.271,
44 392.315, 392.317, 392.325, 392.327, 392.335, 392.850, 393.045,
45 394.167, 394.16975, 394.1698, 394.447, 394.460, 394.465,



1 396.1415, 396.1425, 396.143, 396.159, 396.3295, 396.405, 396.525,
2 396.535, 396.9685, 398A.115, 408.3885, 408.3886, 408.3888,
3 408.5484, 412.153, 414.280, 416.070, 422.2749, 422.305,
4 422A.342, 422A.350, 425.400, 427A.1236, 427A.872, 432.028,
5 432.205, 432B.175, 432B.280, 432B.290, 432B.4018, 432B.407,
6 432B.430, 432B.560, 432B.5902, 432C.140, 432C.150, 433.534,
7 433A.360, 439.4941, 439.4988, 439.840, 439.914, 439A.116,
8 439A.124, 439B.420, 439B.754, 439B.760, 439B.845, 440.170,
9 441A.195, 441A.220, 441A.230, 442.330, 442.395, 442.735,
10 442.774, 445A.665, 445B.570, 445B.7773, 447.345, 449.209,
11 449.245, 449.4315, 449A.112, 450.140, 450B.188, 450B.805,
12 453.164, 453.720, 458.055, 458.280, 459.050, 459.3866, 459.555,
13 459.7056, 459.846, 463.120, 463.15993, 463.240, 463.3403,
14 463.3407, 463.790, 467.1005, 480.535, 480.545, 480.935, 480.940,
15 481.063, 481.091, 481.093, 482.170, 482.368, 482.5536, 483.340,
16 483.363, 483.575, 483.659, 483.800, 484A.469, 484B.830,
17 484B.833, 484E.070, 485.316, 501.344, 503.452, 522.040,
18 534A.031, 561.285, 571.160, 584.655, 587.877, 598.0964, 598.098,
19 598A.110, 598A.420, 599B.090, 603.070, 603A.210, 604A.303,
20 604A.710, 612.265, 616B.012, 616B.015, 616B.315, 616B.350,
21 618.341, 618.425, 622.238, 622.310, 623.131, 623A.137, 624.110,
22 624.265, 624.327, 625.425, 625A.185, 628.418, 628B.230,
23 628B.760, 629.047, 629.069, 630.133, 630.2671, 630.2672,
24 630.2673, 630.30665, 630.336, 630A.327, 630A.555, 631.332,
25 631.368, 632.121, 632.125, 632.3415, 632.3423, 632.405, 633.283,
26 633.301, 633.4715, 633.4716, 633.4717, 633.524, 634.055,
27 634.1303, 634.214, 634A.169, 634A.185, 635.111, 635.158,
28 636.262, 636.342, 637.085, 637.145, 637B.192, 637B.288, 638.087,
29 638.089, 639.183, 639.2485, 639.570, 640.075, 640.152, 640A.185,
30 640A.220, 640B.405, 640B.730, 640C.580, 640C.600, 640C.620,
31 640C.745, 640C.760, 640D.135, 640D.190, 640E.225, 640E.340,
32 641.090, 641.221, 641.2215, 641.325, 641A.191, 641A.217,
33 641A.262, 641B.170, 641B.281, 641B.282, 641C.455, 641C.760,
34 641D.260, 641D.320, 642.524, 643.189, 644A.870, 645.180,
35 645.625, 645A.050, 645A.082, 645B.060, 645B.092, 645C.220,
36 645C.225, 645D.130, 645D.135, 645G.510, 645H.320, 645H.330,
37 647.0945, 647.0947, 648.033, 648.197, 649.065, 649.067, 652.126,
38 652.228, 653.900, 654.110, 656.105, 657A.510, 661.115, 665.130,
39 665.133, 669.275, 669.285, 669A.310, 671.170, 673.450, 673.480,
40 675.380, 676A.340, 676A.370, 677.243, 678A.470, 678C.710,
41 678C.800, 679B.122, 679B.124, 679B.152, 679B.159, 679B.190,
42 679B.285, 679B.690, 680A.270, 681A.440, 681B.260, 681B.410,
43 681B.540, 683A.0873, 685A.077, 686A.289, 686B.170, 686C.306,
44 687A.060, 687A.115, 687B.404, 687C.010, 688C.230, 688C.480,
45 688C.490, 689A.696, 692A.117, 692C.190, 692C.3507, 692C.3536,



1 692C.3538, 692C.354, 692C.420, 693A.480, 693A.615, 696B.550,
2 696C.120, 703.196, 704B.325, 706.1725, 706A.230, 710.159,
3 711.600, *and section 16 of this act*, sections 35, 38 and 41 of
4 chapter 478, Statutes of Nevada 2011 and section 2 of chapter 391,
5 Statutes of Nevada 2013 and unless otherwise declared by law to be
6 confidential, all public books and public records of a governmental
7 entity must be open at all times during office hours to inspection by
8 any person, and may be fully copied or an abstract or memorandum
9 may be prepared from those public books and public records. Any
10 such copies, abstracts or memoranda may be used to supply the
11 general public with copies, abstracts or memoranda of the records or
12 may be used in any other way to the advantage of the governmental
13 entity or of the general public. This section does not supersede or in
14 any manner affect the federal laws governing copyrights or enlarge,
15 diminish or affect in any other manner the rights of a person in any
16 written book or record which is copyrighted pursuant to federal law.

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

19 3. A governmental entity that has legal custody or control of a
20 public book or record shall not deny a request made pursuant to
21 subsection 1 to inspect or copy or receive a copy of a public book or
22 record on the basis that the requested public book or record contains
23 information that is confidential if the governmental entity can
24 redact, delete, conceal or separate, including, without limitation,
25 electronically, the confidential information from the information
26 included in the public book or record that is not otherwise
27 confidential.

28 4. If requested, a governmental entity shall provide a copy of a
29 public record in an electronic format by means of an electronic
30 medium. Nothing in this subsection requires a governmental entity
31 to provide a copy of a public record in an electronic format or by
32 means of an electronic medium if:

33 (a) The public record:

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

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

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

38 (1) Give access to proprietary software; or

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

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

44 (a) Shall not refuse to provide a copy of that public record in the
45 medium that is requested because the officer, employee or agent has



1 already prepared or would prefer to provide the copy in a different
2 medium.

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

7 **Sec. 18.5.** 1. There is hereby appropriated from the State
8 General Fund to the Department of Brain Health at the University of
9 Nevada, Las Vegas, the sum of \$150,000 for the purposes of:

10 (a) Establishing and maintaining a system for the reporting of
11 information on neurodegenerative diseases; and

12 (b) Performing the activities authorized by section 14.5 of this
13 act.

14 2. Any remaining balance of the appropriation made by
15 subsection 1 must not be committed for expenditure after June 30,
16 2025, by the entity to which the appropriation is made or any entity
17 to which money from the appropriation is granted or otherwise
18 transferred in any manner, and any portion of the appropriated
19 money remaining must not be spent for any purpose after
20 September 19, 2025, by either the entity to which the money was
21 appropriated or the entity to which the money was subsequently
22 granted or transferred, and must be reverted to the State General
23 Fund on or before September 19, 2025.

24 **Sec. 19.** This act becomes effective on July 1, 2023.

