

REQUIRES TWO-THIRDS MAJORITY VOTE

(§§ 9, 12, 13, 15.2)

(Reprinted with amendments adopted on April 14, 2021)

FIRST REPRINT

S.B. 69

SENATE BILL NO. 69—COMMITTEE ON  
HEALTH AND HUMAN SERVICES

(ON BEHALF OF THE WASHOE REGIONAL  
BEHAVIORAL HEALTH POLICY BOARD)

PREFILED NOVEMBER 18, 2020

Referred to Committee on Health and Human Services

SUMMARY—Revises provisions relating to behavioral health.  
(BDR 39-431)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.  
Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§ 20)  
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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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 behavioral health; requiring peer recovery support specialists and peer recovery support specialist supervisors who provide peer recovery support services under certain conditions to be certified; authorizing the imposition of civil penalties for certain violations; prohibiting the employment or retention as an independent contractor of a person for the purpose of providing or supervising the provision of peer recovery support services to minors if the person has been convicted of certain crimes or found to have engaged in certain conduct; requiring a certified peer recovery support specialist or certified peer recovery support specialist supervisor to report certain information; requiring the Department of Education to publish a list of evidence-based curricula and programs concerning the prevention of substance misuse and substance use disorder; requiring the participation of public schools in a biennial survey to collect data concerning youth risk behavior of pupils enrolled in certain grades in a public school; abolishing requirements for the licensure of peer support recovery organizations; providing for the certification of substance use disorder prevention coalitions and prescribing the duties of such a coalition; requiring certain reporting concerning curricula and programs on substance misuse and substance use disorders in public schools; providing a penalty; and providing other matters properly relating thereto.



\* S B 6 9 R 1 \*

**Legislative Counsel's Digest:**

1 Existing law: (1) defines the term "peer support recovery organization" to mean  
2 a person or agency which, for compensation, provides peer support services to  
3 persons who are 18 years of age or older and who suffer from mental illness or an  
4 addictive disorder or identify themselves as at risk for mental illness or an addictive  
5 disorder; and (2) requires a peer support recovery organization to be licensed by the  
6 Division of Public and Behavioral Health of the Department of Health and Human  
7 Services as a facility for the dependent. (NRS 449.0045, 449.01563, 449.030)  
8 **Sections 20.3, 22.5-24.8, 25.2-25.7 and 36** of this bill remove existing provisions  
9 for the licensing and regulation of peer support recovery organizations. **Sections 2-**  
10 **15.7** instead prescribe certain requirements governing natural persons who provide  
11 peer recovery support services. **Section 5** of this bill defines the term "peer  
12 recovery support services" to mean nonclinical supportive services that use lived  
13 experience in recovery from a substance use disorder or other behavioral health  
14 disorder to promote recovery in another person with a substance use disorder or  
15 other behavioral health disorder by advocating, mentoring, educating, offering hope  
16 and providing assistance in navigating systems. **Sections 2.5-4, 6 and 7** of this bill  
17 define certain additional relevant terms. **Section 8** of this bill: (1) requires, in  
18 general, a person to be certified by the Nevada Certification Board, or its successor  
19 organization, as a peer recovery support specialist or peer recovery support  
20 specialist supervisor before providing or supervising the provision of, as applicable,  
21 peer recovery support services to adults for compensation as a regular part of his or  
22 her job duties; (2) provides for the imposition of a civil penalty against a person  
23 who violates that requirement; and (3) authorizes a person who is not certified to  
24 provide peer recovery support services to adults for compensation as an intern  
25 under certain circumstances. **Section 15** of this bill authorizes the Division to bring  
26 an action to enjoin any person from providing or supervising the provision of peer  
27 recovery support services in violation of **section 8**.

28 **Sections 9-14 and 31.5** of this bill provide for the certification and regulation  
29 of peer recovery support specialists and peer recovery support specialist supervisors  
30 by the Division if the Nevada Certification Board or its successor organization  
31 ceases to certify such persons. Specifically, **section 31.5** replaces the required  
32 certification by the Nevada Certification Board or its successor organization with a  
33 requirement to obtain certification from the Division under those circumstances. If  
34 the Division issues such certification because the Nevada Certification Board  
35 ceases to do so, **section 9** of this bill: (1) requires the State Board of Health to adopt  
36 regulations governing peer recovery support services; and (2) authorizes the Board  
37 to establish by regulation exemptions from the requirement to be certified by the  
38 Division.

39 Existing federal law requires each state to adopt procedures to ensure that  
40 applicants for certain licenses and certificates comply with child support  
41 obligations. (42 U.S.C. § 666) **Sections 10 and 11** of this bill enact such procedures  
42 as applicable to an applicant to the Division for a certificate as a peer recovery  
43 support specialist or peer recovery support specialist supervisor in order to comply  
44 with federal law.

45 If the Division certifies peer recovery support specialists pursuant to **sections 9**  
46 **and 31.5, sections 12 and 13** of this bill provide for the issuance of a certificate as  
47 a peer recovery support specialist or peer recovery support specialist supervisor by  
48 endorsement to certain applicants who are licensed, certified or hold another  
49 credential as a peer recovery support specialist or peer recovery support specialist  
50 supervisor, as applicable, issued by another jurisdiction.

51 **Section 14** of this bill: (1) requires an applicant to the Division for renewal of a  
52 certificate who has a state business license to provide his or her business  
53 identification number in the application; and (2) prohibits the renewal of a



54 certificate if the applicant fails to provide such information or is delinquent on a  
55 debt to a state agency.

56 **Sections 15.2 and 15.4** of this bill require any person who is employed or  
57 retained as an independent contractor for the purpose of providing or supervising  
58 the provision of peer recovery support services to a minor to undergo a background  
59 check to determine whether the person has, within the immediately preceding 5  
60 years, been: (1) convicted of certain crimes involving children; (2) the subject of a  
61 substantiated report of the abuse or neglect of a child; or (3) found to have  
62 committed a violation of provisions prohibiting corporal punishment in public  
63 schools or the use of aversive interventions against pupils with disabilities in  
64 private schools. **Section 15.4** of this bill also requires such an employee or  
65 independent contractor to notify the person or entity for which he or she provides  
66 peer recovery support services of certain charges, investigations and convictions  
67 involving such crimes or conduct. **Section 15.6** of this bill generally: (1) prohibits  
68 the employment of a person or retention of a person as an independent contractor  
69 for the purpose of providing peer recovery support services to a minor if the person  
70 has been convicted of such a crime or been found to have engaged in such conduct  
71 within the immediately preceding 5 years; and (2) requires the termination of an  
72 employee or independent contractor who provides peer recovery support services to  
73 a minor and has been convicted of such a crime or is found to have engaged in such  
74 conduct within that period. **Section 15.6** authorizes an employee or independent  
75 contractor who believes that the information provided through a background check  
76 is incorrect to attempt to correct the information. **Section 15.6** also authorizes the  
77 Division to adopt regulations establishing a process to determine whether an  
78 employee or independent contractor who has been convicted of such a crime or  
79 found to have engaged in such conduct within the immediately preceding 5 years  
80 may continue to provide peer recovery support services to a minor. **Sections 15.4**  
81 **and 15.6** provide for the imposition of administrative penalties on persons and  
82 entities who violate the requirements of those sections. **Section 15.7** of this bill  
83 requires a person or entity that employs a person or retains an independent  
84 contractor to provide peer recovery support services to a minor to maintain certain  
85 records of the background checks required by **sections 15.2 and 15.4**. **Sections**  
86 **15.8 and 20.6** of this bill make conforming changes to authorize the Central  
87 Repository for Nevada Records of Criminal History and the Statewide Central  
88 Registry for the Collection of Information Concerning the Abuse or Neglect of a  
89 Child, respectively, to conduct the required background checks.

90 **Sections 17, 21 and 28** of this bill require a certified peer recovery support  
91 specialist or certified peer recovery support specialist supervisor to report: (1) the  
92 abuse, neglect, exploitation, isolation or abandonment of an older person or  
93 vulnerable person; (2) the abuse or neglect of a child; and (3) violations of statutes  
94 or regulations governing nursing. If the Division certifies peer recovery support  
95 specialists and peer recovery support specialist supervisors pursuant to **sections 9**  
96 **and 31.5** and a peer recovery support specialist or peer recovery support specialist  
97 supervisor is reported to have abused, neglected, exploited, isolated or abandoned  
98 an older person or vulnerable person, **section 18** of this bill requires the submission  
99 of the information in the report to the Division. **Section 25** of this bill makes a  
100 conforming change to reflect the replacement of the requirement that peer support  
101 recovery organizations must be licensed with a requirement that peer recovery  
102 support specialists and peer recovery support specialist supervisors must be  
103 certified. **Sections 29-31** of this bill exempt certified peer recovery support  
104 specialists and certified peer recovery support specialist supervisors from  
105 provisions governing certain other professions related to behavioral health.

106 Existing law requires the Council to Establish Academic Standards for Public  
107 Schools to establish standards of content and performance for certain subjects,  
108 including health and science. (NRS 389.520) Existing regulations establish



109 standards of content and performance for health in the sixth, seventh and eighth  
110 grades and high school that include instruction related to substance use, misuse and  
111 abuse. (NAC 389.381, 389.455) **Section 18.5** of this bill requires the Department of  
112 Education to develop, maintain and publish a list of evidence-based curricula and  
113 programs concerning substance misuse and substance use disorders. **Section 32** of  
114 this bill requires the board of trustees of each school district and the governing  
115 body of each charter school to submit to the Legislative Committee on Education a  
116 report that describes any curriculum or program concerning substance misuse or  
117 substance use disorders used or offered in the school district or charter school, as  
118 applicable, during the 2020-2021 school year.

119 **Section 20** of this bill requires the board of trustees of each school district and  
120 the governing body of each charter school that operates a middle school, junior  
121 high school or high school to ensure that the school district or charter school  
122 participates in the biennial survey administered pursuant to the Youth Risk  
123 Behavior Surveillance System developed by the Centers for Disease Control and  
124 Prevention of the United States Department of Health and Human Services, which  
125 is a system pursuant to which a survey is administered every other year to a  
126 sampling of pupils in grades 6 to 12, inclusive, to collect data concerning health-  
127 risk behaviors by such pupils. **Section 20** also authorizes: (1) the parent or guardian  
128 of a pupil who is an unemancipated minor to refuse consent to the administration of  
129 the survey to the pupil; and (2) a pupil to refuse to participate in the survey.

130 Existing law requires the Division of Public and Behavioral Health of the  
131 Department of Health and Human Services to: (1) formulate and operate a  
132 comprehensive state plan for programs for alcohol or other substance use disorders;  
133 and (2) coordinate the efforts to carry out the state plan and coordinate all state and  
134 federal financial support of programs for alcohol or other substance use disorders in  
135 this State. (NRS 458.025) **Section 26** of this bill requires the State Board of Health  
136 to adopt regulations providing for the certification of substance use disorder  
137 prevention coalitions, which are coalitions of persons and entities who possess  
138 knowledge and experience related to the prevention of substance misuse and  
139 substance use disorders in regions of this State. **Section 26** also prescribes the  
140 duties of a certified substance use disorder prevention coalition, and **section 27** of  
141 this bill makes a conforming change to indicate the placement of **section 26** within  
142 the Nevada Revised Statutes.

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

1 **Section 1.** Chapter 433 of NRS is hereby amended by adding  
2 thereto the provisions set forth as sections 2 to 15.7, inclusive, of  
3 this act.

4 **Sec. 2.** *As used in sections 2 to 15.7, inclusive, of this act,*  
5 *unless the context otherwise requires, the words and terms defined*  
6 *in sections 2.5 to 7, inclusive, of this act have the meanings*  
7 *ascribed to them in those sections.*

8 **Sec. 2.5.** *“Adult” means a natural person who is 18 years of*  
9 *age or older.*

10 **Sec. 3.** *“Board” means the State Board of Health.*



1     **Sec. 4.** *“Certificate” means a certificate issued by the*  
2 *Division that authorizes the holder to provide or supervise the*  
3 *provision of peer recovery support services, as applicable.*

4     **Sec. 5.** *“Peer recovery support services” means nonclinical*  
5 *supportive services that use lived experience in recovery from a*  
6 *substance use disorder or other behavioral health disorder to*  
7 *promote recovery in another person with a substance use disorder*  
8 *or other behavioral health disorder by advocating, mentoring,*  
9 *educating, offering hope and providing assistance in navigating*  
10 *systems.*

11     **Sec. 6.** *“Peer recovery support specialist” means a person*  
12 *who is authorized under the provisions of section 8 of this act to*  
13 *provide peer recovery support services to adults for compensation*  
14 *as a regular part of his or her job duties. The term does not*  
15 *include a peer recovery support specialist intern.*

16     **Sec. 6.5.** *“Peer recovery support specialist intern” means a*  
17 *person who is authorized under the provisions of section 8 of this*  
18 *act to provide peer recovery support services to adults for*  
19 *compensation as a regular part of his or her job duties.*

20     **Sec. 7.** *“Peer recovery support specialist supervisor” means a*  
21 *person who is authorized under the provisions of section 8 of this*  
22 *act to supervise the provision of peer recovery support services to*  
23 *adults for compensation as a regular part of his or her job duties.*

24     **Sec. 8. 1.** *Except as authorized by subsection 2, a person*  
25 *shall not:*

26     *(a) Provide peer recovery support services to adults for*  
27 *compensation as a regular part of his or her job duties or hold*  
28 *himself or herself out as authorized to provide peer recovery*  
29 *support services to adults unless he or she holds a valid certificate*  
30 *as a peer recovery support specialist issued by the Nevada*  
31 *Certification Board or its successor organization.*

32     *(b) Supervise the provision of peer recovery support services to*  
33 *adults for compensation as a regular part of his or her job duties*  
34 *or hold himself or herself out as authorized to supervise the*  
35 *provision of peer recovery support services to adults unless he or*  
36 *she holds a valid certificate as a peer recovery support specialist*  
37 *supervisor issued by the Nevada Certification Board or its*  
38 *successor organization.*

39     **2.** *If the Nevada Certification Board or its successor*  
40 *organization establishes conditions governing the provision of*  
41 *peer recovery support services by a person who is not certified as a*  
42 *peer recovery support specialist while the person is acquiring the*  
43 *experience necessary for certification as a peer recovery support*  
44 *specialist, such a person may:*



1 (a) Provide peer recovery support services to adults for  
2 compensation as a regular part of his or her job duties under those  
3 conditions; and

4 (b) Use the title of "peer recovery support specialist intern"  
5 while providing peer recovery support services under those  
6 conditions.

7 3. The Division may impose upon a person who violates this  
8 section a civil penalty in an amount prescribed by regulation of  
9 the Board.

10 **Sec. 9. 1.** The Board shall adopt regulations governing the  
11 provision of peer recovery support services. The regulations must  
12 prescribe:

13 (a) The requirements for the issuance and renewal of a  
14 certificate as a peer recovery support specialist or peer recovery  
15 support specialist supervisor, which must include, without  
16 limitation, required training and experience for peer recovery  
17 support specialists and peer recovery support specialist  
18 supervisors.

19 (b) Requirements governing the supervision of peer recovery  
20 support specialists by peer recovery support specialist supervisors.

21 (c) Procedures for the Division to investigate misconduct by a  
22 peer recovery support specialist or peer recovery support specialist  
23 supervisor and to impose disciplinary action for such misconduct.

24 (d) The forms of disciplinary action that the Division may  
25 impose against a peer recovery support specialist or peer recovery  
26 support specialist supervisor.

27 2. The Board may, by regulation, prescribe a fee for:

28 (a) The issuance of a certificate; and

29 (b) The renewal of a certificate.

30 3. Any fee prescribed pursuant to subsection 2 must be  
31 calculated to produce the revenue estimated to cover the costs  
32 related to the issuance and renewal of certificates, but in no case  
33 may the fee for the issuance or renewal of a certificate exceed the  
34 actual cost to the Division of issuing or renewing the certificate, as  
35 applicable.

36 4. The regulations adopted pursuant to this section may  
37 establish exemptions from the provisions of section 8 of this act.

38 **Sec. 10. 1.** A person who applies for the issuance or  
39 renewal of a certificate must:

40 (a) Include the social security number of the applicant in the  
41 application submitted to the Division.

42 (b) Submit to the Division the statement prescribed by the  
43 Division of Welfare and Supportive Services of the Department  
44 pursuant to NRS 425.520. The statement must be completed and  
45 signed by the applicant.



1       2. *The Division shall include the statement required pursuant*  
2 *to subsection 1 in:*

3       (a) *The application or any other forms that must be submitted*  
4 *for the issuance or renewal of the certificate; or*

5       (b) *A separate form prescribed by the Division.*

6       3. *A certificate may not be issued or renewed by the Division*  
7 *if the applicant:*

8       (a) *Fails to submit the statement required pursuant to*  
9 *subsection 1; or*

10       (b) *Indicates on the statement submitted pursuant to*  
11 *subsection 1 that the applicant is subject to a court order for the*  
12 *support of a child and is not in compliance with the order or a*  
13 *plan approved by the district attorney or other public agency*  
14 *enforcing the order for the repayment of the amount owed*  
15 *pursuant to the order.*

16       4. *If an applicant indicates on the statement submitted*  
17 *pursuant to subsection 1 that the applicant is subject to a court*  
18 *order for the support of a child and is not in compliance with the*  
19 *order or a plan approved by the district attorney or other public*  
20 *agency enforcing the order for the repayment of the amount owed*  
21 *pursuant to the order, the Division shall advise the applicant to*  
22 *contact the district attorney or other public agency enforcing the*  
23 *order to determine the actions that the applicant may take to*  
24 *satisfy the arrearage.*

25       **Sec. 11. 1.** *If the Division receives a copy of a court order*  
26 *issued pursuant to NRS 425.540 that provides for the suspension*  
27 *of all professional, occupational and recreational licenses,*  
28 *certificates and permits issued to a natural person who is the*  
29 *holder of a certificate, the Division shall deem the certificate*  
30 *issued to that person to be suspended at the end of the 30th day*  
31 *after the date the court order was issued unless the Division*  
32 *receives a letter issued to the holder of the certificate by the district*  
33 *attorney or other public agency pursuant to NRS 425.550 stating*  
34 *that the holder of the certificate has complied with the subpoena*  
35 *or warrant or has satisfied the arrearage pursuant to*  
36 *NRS 425.560.*

37       2. *The Division shall reinstate a certificate that has been*  
38 *suspended by a district court pursuant to NRS 425.540 if the*  
39 *Division receives a letter issued by the district attorney or other*  
40 *public agency pursuant to NRS 425.550 to the person whose*  
41 *certificate was suspended stating that the person whose certificate*  
42 *was suspended has complied with the subpoena or warrant or has*  
43 *satisfied the arrearage pursuant to NRS 425.560.*

44       **Sec. 12. 1.** *The Division may issue a certificate by*  
45 *endorsement as a peer recovery support specialist or peer recovery*



1 *support specialist supervisor to an applicant who meets the*  
2 *requirements set forth in this section. An applicant may submit to*  
3 *the Division an application for such a certificate if the applicant*  
4 *holds a corresponding valid and unrestricted license, certificate or*  
5 *other credential as a peer recovery support specialist or peer*  
6 *recovery support specialist supervisor, as applicable, in the District*  
7 *of Columbia or any state or territory of the United States.*

8 2. *An applicant for a certificate by endorsement pursuant to*  
9 *this section must submit to the Division with his or her*  
10 *application:*

11 (a) *Proof satisfactory to the Division that the applicant:*

12 (1) *Satisfies the requirements of subsection 1;*

13 (2) *Has not been disciplined or investigated by the*  
14 *corresponding regulatory authority of the District of Columbia or*  
15 *any state or territory in which the applicant currently holds or has*  
16 *held a license, certificate or other credential as a peer recovery*  
17 *support specialist or peer recovery support specialist supervisor, as*  
18 *applicable; and*

19 (3) *Has not been held civilly or criminally liable for*  
20 *malpractice in the District of Columbia or any state or territory of*  
21 *the United States;*

22 (b) *An affidavit stating that the information contained in the*  
23 *application and any accompanying material is true and correct;*

24 (c) *The fee prescribed by the Board in the regulations adopted*  
25 *pursuant to section 9 of this act; and*

26 (d) *Any other information required by the Division.*

27 3. *Not later than 15 business days after the Division receives*  
28 *an application for a certificate by endorsement as a peer recovery*  
29 *support specialist or peer recovery support specialist supervisor*  
30 *pursuant to this section, the Division shall provide written notice*  
31 *to the applicant of any additional information required by the*  
32 *Division to consider the application. Unless the Division denies*  
33 *the application for good cause, the Division shall approve the*  
34 *application and issue a certificate by endorsement as a peer*  
35 *recovery support specialist or peer recovery support specialist*  
36 *supervisor, as applicable, to the applicant not later than 45 days*  
37 *after receiving the application.*

38 **Sec. 13. 1.** *The Division may issue a certificate by*  
39 *endorsement as a peer recovery support specialist or peer recovery*  
40 *support specialist supervisor to an applicant who meets the*  
41 *requirements set forth in this section. An applicant may submit to*  
42 *the Division an application for such a certificate if the applicant:*

43 (a) *Holds a corresponding valid and unrestricted license,*  
44 *certificate or other credential as a peer recovery support specialist*  
45 *or peer recovery support specialist supervisor, as applicable, in the*





1 *District of Columbia or any state or territory of the United States;*  
2 *and*

3 *(b) Is an active member of, or the spouse of an active member*  
4 *of, the Armed Forces of the United States, a veteran or the spouse,*  
5 *widow or widower of a veteran.*

6 *2. An applicant for a certificate by endorsement pursuant to*  
7 *this section must submit to the Division with his or her*  
8 *application:*

9 *(a) Proof satisfactory to the Division that the applicant:*

10 *(1) Satisfies the requirements of subsection 1;*

11 *(2) Has not been disciplined or investigated by the*  
12 *corresponding regulatory authority of the District of Columbia or*  
13 *any state or territory in which the applicant currently holds or has*  
14 *held a license, certificate or other credential as a peer recovery*  
15 *support specialist or peer recovery support specialist supervisor, as*  
16 *applicable; and*

17 *(3) Has not been held civilly or criminally liable for*  
18 *malpractice in the District of Columbia or any state or territory of*  
19 *the United States;*

20 *(b) An affidavit stating that the information contained in the*  
21 *application and any accompanying material is true and correct;*

22 *(c) The fee prescribed by the Board in the regulations adopted*  
23 *pursuant to section 9 of this act; and*

24 *(d) Any other information required by the Division.*

25 *3. Not later than 15 business days after the Division receives*  
26 *an application for a certificate by endorsement as a peer recovery*  
27 *support specialist or peer recovery support specialist supervisor*  
28 *pursuant to this section, the Division shall provide written notice*  
29 *to the applicant of any additional information required by the*  
30 *Division to consider the application. Unless the Division denies*  
31 *the application for good cause, the Division shall approve the*  
32 *application and issue a certificate by endorsement as a peer*  
33 *recovery support specialist or peer recovery support specialist*  
34 *supervisor, as applicable, to the applicant not later than 45 days*  
35 *after receiving all the additional information required by the*  
36 *Division to complete the application.*

37 *4. At any time before making a final decision on an*  
38 *application for a certificate by endorsement pursuant to this*  
39 *section, the Division may grant a provisional certificate*  
40 *authorizing an applicant to practice as a peer recovery support*  
41 *specialist or peer recovery support specialist supervisor, as*  
42 *applicable, in accordance with regulations adopted by the Board.*

43 *5. As used in this section, "veteran" has the meaning*  
44 *ascribed to it in NRS 417.005.*



1     **Sec. 14. 1.** *In addition to any other requirements set forth*  
2 *in sections 2 to 15.7, inclusive, of this act, an applicant for the*  
3 *renewal of a certificate as a recovery support specialist or recovery*  
4 *support specialist supervisor must indicate in the application*  
5 *submitted to the Division whether the applicant has a state*  
6 *business license. If the applicant has a state business license, the*  
7 *applicant must include in the application the business*  
8 *identification number assigned by the Secretary of State upon*  
9 *compliance with the provisions of chapter 76 of NRS.*

10     **2.** *A certificate may not be renewed if:*

11     **(a)** *The applicant fails to submit the information required by*  
12 *subsection 1; or*

13     **(b)** *The State Controller has informed the Division pursuant to*  
14 *subsection 5 of NRS 353C.1965 that the applicant owes a debt to*  
15 *an agency that has been assigned to the State Controller for*  
16 *collection and the applicant has not:*

17         **(1)** *Satisfied the debt;*

18         **(2)** *Entered into an agreement for the payment of the debt*  
19 *pursuant to NRS 353C.130; or*

20         **(3)** *Demonstrated that the debt is not valid.*

21     **3.** *As used in this section:*

22         **(a)** *“Agency” has the meaning ascribed to it in NRS 353C.020.*

23         **(b)** *“Debt” has the meaning ascribed to it in NRS 353C.040.*

24     **Sec. 15. 1.** *The Division may bring an action in the name*  
25 *of the State of Nevada to enjoin any person from engaging in*  
26 *conduct that violates the provisions of section 8 of this act.*

27     **2.** *It is sufficient in such an action to allege that the*  
28 *defendant did, on a certain date and in a certain place, engage in*  
29 *conduct for which a certificate is required by section 8 of this act*  
30 *without a valid certificate.*

31     **Sec. 15.2. 1.** *The Division shall secure from appropriate*  
32 *law enforcement agencies information on the background and*  
33 *personal history of every person who is employed or retained as an*  
34 *independent contractor for the purpose of providing or supervising*  
35 *the provision of peer recovery support services to a minor to*  
36 *determine whether the person has, within the immediately*  
37 *preceding 5 years, been:*

38         **(a)** *Named in a substantiated report as causing the abuse or*  
39 *neglect of a child, as defined in NRS 392.281;*

40         **(b)** *Convicted of violating NRS 201.540 or 201.560 or a similar*  
41 *statute in another jurisdiction; or*

42         **(c)** *Found to have committed a violation of NRS 392.4633 or*  
43 *394.366 or a similar statute in another jurisdiction.*

44     **2.** *The Division shall request information concerning each*  
45 *person who is employed or retained as an independent contractor*



1 *for the purpose of providing or supervising the provision of peer*  
2 *recovery support services to a minor from:*

3 (a) *The Central Repository for Nevada Records of Criminal*  
4 *History for its report concerning a conviction in this State of any*  
5 *of the crimes set forth in paragraph (b) of subsection 1 and for*  
6 *submission to the Federal Bureau of Investigation for its report*  
7 *pursuant to section 15.4 of this act; and*

8 (b) *The Statewide Central Registry for the Collection of*  
9 *Information Concerning the Abuse or Neglect of a Child*  
10 *established pursuant to NRS 432.100 to determine whether:*

11 (1) *There has been a substantiated report of child abuse or*  
12 *neglect made against any such person; or*

13 (2) *Any such person has been found to have committed a*  
14 *violation listed in paragraph (c) of subsection 1.*

15 3. *The Division may charge each person investigated*  
16 *pursuant to this section for the reasonable cost of that*  
17 *investigation.*

18 4. *The information required to be obtained pursuant to*  
19 *subsections 1 and 2 must be requested for an initial background*  
20 *check before the employee or independent contractor provides or*  
21 *supervises the provision of peer recovery support services to a*  
22 *minor, and then at least once every 5 years thereafter.*

23 5. *A person who is required to submit to an investigation*  
24 *required pursuant to this section shall not provide or supervise the*  
25 *provision of peer recovery support services to a minor without*  
26 *supervision before the investigation of the background and*  
27 *personal history of the person has been conducted.*

28 **Sec. 15.4.** 1. *Every person who is employed or retained as*  
29 *an independent contractor for the purpose of providing or*  
30 *supervising the provision of peer recovery support services to a*  
31 *minor shall submit to the Division, or to the person or agency*  
32 *designated by the Division, to enable the Division to conduct an*  
33 *investigation pursuant to section 15.2 of this act, a:*

34 (a) *Complete set of fingerprints and a written authorization for*  
35 *the Division or its designee to forward the fingerprints to the*  
36 *Central Repository for Nevada Records of Criminal History for its*  
37 *report and for submission to the Federal Bureau of Investigation*  
38 *for its report; and*

39 (b) *Written authorization for the Division to obtain any*  
40 *information that may be available from the Statewide Central*  
41 *Registry for the Collection of Information Concerning the Abuse*  
42 *or Neglect of a Child established pursuant to NRS 432.100.*

43 2. *If a person who is employed or retained as an independent*  
44 *contractor for the purpose of providing or supervising the*  
45 *provision of peer recovery support services to a minor has, within*



1 *the immediately preceding 5 years, had a substantiated report of*  
2 *child abuse or neglect filed against him or her, been convicted of a*  
3 *crime listed in paragraph (b) of subsection 1 of section 15.2 of this*  
4 *act or been found to have committed a violation listed in*  
5 *paragraph (c) of that subsection, the Division must immediately*  
6 *notify the employer of the person or the person or entity with*  
7 *whom the person has contracted, who shall then comply with the*  
8 *provisions of section 15.6 of this act.*

9 3. *A person or entity shall notify the Division as soon as*  
10 *practicable but not later than 24 hours after hiring an employee or*  
11 *retaining an independent contractor for the purpose of providing*  
12 *or supervising the provision of peer recovery support services to a*  
13 *minor.*

14 4. *A person who is employed or retained as an independent*  
15 *contractor for the purpose of providing or supervising the*  
16 *provision of peer recovery support services to a minor shall notify*  
17 *the employer or the person or entity who retained the person as an*  
18 *independent contractor not later than 24 hours after:*

19 (a) *Being charged with or convicted of a crime listed in*  
20 *paragraph (b) of subsection 1 of section 15.2 of this act or being*  
21 *investigated for or found to have committed a violation listed in*  
22 *paragraph (c) of that subsection;*

23 (b) *Receiving notice that he or she is the subject of an*  
24 *investigation for child abuse or neglect; or*

25 (c) *Receiving notice that a report of abuse or neglect has been*  
26 *substantiated against him or her.*

27 5. *A person or entity shall notify the Division within 2 days*  
28 *after receiving notice that an employee or independent contractor*  
29 *of the person or entity who provides or supervises the provision of*  
30 *peer recovery support services to a minor:*

31 (a) *Has been charged with a crime listed in paragraph (b) of*  
32 *subsection 1 of section 15.2 of this act; or*

33 (b) *Is being investigated for child abuse or neglect or a*  
34 *violation listed in paragraph (c) of subsection 1 of section 15.2 of*  
35 *this act.*

36 6. *The Division shall adopt regulations to establish civil*  
37 *penalties to be imposed against any person or entity that fails to*  
38 *comply with the requirements of this section.*

39 **Sec. 15.6.** 1. *Except as otherwise provided in this section,*  
40 *upon receiving information pursuant to section 15.4 of this act*  
41 *from the Central Repository for Nevada Records of Criminal*  
42 *History or the Statewide Central Registry for the Collection of*  
43 *Information Concerning the Abuse or Neglect of a Child*  
44 *established pursuant to NRS 432.100, from an employee or*  
45 *independent contractor who provides or supervises the provision*



1 of peer recovery support services to a minor or from any other  
2 source that such an employee or independent contractor has,  
3 within the immediately preceding 5 years, had a substantiated  
4 report of child abuse or neglect made against him or her, been  
5 convicted of a crime listed in paragraph (b) of subsection 1 of  
6 section 15.2 of this act or been found to have committed a  
7 violation listed in paragraph (c) of that subsection, the employer  
8 or person or entity who retained the independent contractor shall  
9 terminate the employment or contract of the employee or  
10 independent contractor, as applicable, after allowing the employee  
11 or independent contractor time to correct the information as  
12 required pursuant to subsection 2.

13 2. If an employee or independent contractor who provides or  
14 supervises the provision of peer recovery support services to a  
15 minor believes that the information provided to the employer or  
16 person or entity who retained the independent contractor pursuant  
17 to subsection 1 is incorrect, the employee or independent  
18 contractor must inform the employer, person or entity  
19 immediately. The employer, person or entity shall give any such  
20 employee or independent contractor 30 days to correct the  
21 information.

22 3. The Division, in consultation with each agency which  
23 provides child welfare services, may establish by regulation a  
24 process by which it may review evidence upon request to determine  
25 whether an employee or independent contractor who provides or  
26 supervises the provision of peer recovery support services to a  
27 minor and has, within the immediately preceding 5 years, had a  
28 substantiated report of child abuse or neglect made against him or  
29 her, been convicted of a crime listed in paragraph (b) of  
30 subsection 1 of section 15.2 of this act or been found to have  
31 committed a violation listed in paragraph (c) of that subsection  
32 may continue to provide or supervise the provision of peer  
33 recovery support services to a minor, despite the conviction,  
34 finding or report. Any such review must be conducted in a manner  
35 which does not discriminate against a person in violation of 42  
36 U.S.C. §§ 2000e et seq.

37 4. If a process for review is established pursuant to  
38 subsection 3, an employee or independent contractor who provides  
39 or supervises the provision of peer recovery support services to a  
40 minor may request such a review in the manner established by the  
41 Division. Any determination made by the Division is final for  
42 purposes of judicial review.

43 5. During any period in which an employee or independent  
44 contractor seeks to correct information pursuant to subsection 2  
45 or requests a review of information pursuant to subsection 4, it is



1 *within the discretion of the employer or person or entity who*  
2 *retained the independent contractor whether to allow the employee*  
3 *or independent contractor to continue to work for the employer,*  
4 *person or entity, as applicable, except that the employee or*  
5 *independent contractor shall not provide or supervise the*  
6 *provision of peer recovery support services to a minor without*  
7 *supervision during such a period.*

8 *6. The Division shall adopt regulations to establish civil*  
9 *penalties to be imposed against any person or entity that fails to*  
10 *comply with the requirements of this section.*

11 *7. As used in this section, "agency which provides child*  
12 *welfare services" has the meaning ascribed to it in NRS 424.011.*

13 **Sec. 15.7.** *1. A person or entity that employs a person or*  
14 *retains an independent contractor for the purpose of providing or*  
15 *supervising the provision of peer recovery support services to a*  
16 *minor shall maintain records of the information concerning*  
17 *employees and independent contractors that is collected pursuant*  
18 *to sections 15.2 and 15.4 of this act, including, without limitation:*

19 *(a) A copy of the fingerprints that were submitted to the*  
20 *Central Repository for Nevada Records of Criminal History;*

21 *(b) Proof that the employee or independent contractor*  
22 *submitted fingerprints to the Central Repository for Nevada*  
23 *Records of Criminal History; and*

24 *(c) The written authorization to obtain information from the*  
25 *Central Repository and the Statewide Central Registry for the*  
26 *Collection of Information Concerning the Abuse or Neglect of a*  
27 *Child established pursuant to NRS 432.100.*

28 *2. The records maintained pursuant to subsection 1 must be:*

29 *(a) Maintained for the period that the employee or*  
30 *independent contractor provides or supervises the provision of*  
31 *peer recovery support services to a minor; and*

32 *(b) Made available for inspection by the Division at any*  
33 *reasonable time and copies thereof must be furnished to the*  
34 *Division upon request.*

35 **Sec. 15.8.** *NRS 179A.075 is hereby amended to read as*  
36 *follows:*

37 *179A.075 1. The Central Repository for Nevada Records of*  
38 *Criminal History is hereby created within the Records,*  
39 *Communications and Compliance Division of the Department.*

40 *2. Each agency of criminal justice and any other agency*  
41 *dealing with crime shall:*

42 *(a) Collect and maintain records, reports and compilations of*  
43 *statistical data required by the Department; and*

44 *(b) Submit the information collected to the Central Repository:*



1 (1) In the manner approved by the Director of the  
2 Department; and

3 (2) In accordance with the policies, procedures and  
4 definitions of the Uniform Crime Reporting Program of the Federal  
5 Bureau of Investigation.

6 3. Each agency of criminal justice shall submit the information  
7 relating to records of criminal history that it creates, issues or  
8 collects, and any information in its possession relating to the DNA  
9 profile of a person from whom a biological specimen is obtained  
10 pursuant to NRS 176.09123 or 176.0913, to the Division. The  
11 information must be submitted to the Division:

12 (a) Through an electronic network;

13 (b) On a medium of magnetic storage; or

14 (c) In the manner prescribed by the Director of the Department,  
15 ➔ within 60 days after the date of the disposition of the case. If an  
16 agency has submitted a record regarding the arrest of a person who  
17 is later determined by the agency not to be the person who  
18 committed the particular crime, the agency shall, immediately upon  
19 making that determination, so notify the Division. The Division  
20 shall delete all references in the Central Repository relating to that  
21 particular arrest.

22 4. Each state and local law enforcement agency shall submit  
23 Uniform Crime Reports to the Central Repository:

24 (a) In the manner prescribed by the Director of the Department;

25 (b) In accordance with the policies, procedures and definitions  
26 of the Uniform Crime Reporting Program of the Federal Bureau of  
27 Investigation; and

28 (c) Within the time prescribed by the Director of the  
29 Department.

30 5. The Division shall, in the manner prescribed by the Director  
31 of the Department:

32 (a) Collect, maintain and arrange all information submitted to it  
33 relating to:

34 (1) Records of criminal history; and

35 (2) The DNA profile of a person from whom a biological  
36 specimen is obtained pursuant to NRS 176.09123 or 176.0913.

37 (b) When practicable, use a record of the personal identifying  
38 information of a subject as the basis for any records maintained  
39 regarding him or her.

40 (c) Upon request, provide, in paper or electronic form, the  
41 information that is contained in the Central Repository to the  
42 Committee on Domestic Violence appointed pursuant to NRS  
43 228.470 when, pursuant to NRS 228.495, the Committee is  
44 reviewing the death of the victim of a crime that constitutes  
45 domestic violence pursuant to NRS 33.018.



1 6. The Division may:

2 (a) Disseminate any information which is contained in the  
3 Central Repository to any other agency of criminal justice;

4 (b) Enter into cooperative agreements with repositories of the  
5 United States and other states to facilitate exchanges of information  
6 that may be disseminated pursuant to paragraph (a); and

7 (c) Request of and receive from the Federal Bureau of  
8 Investigation information on the background and personal history of  
9 any person whose record of fingerprints or other biometric identifier  
10 the Central Repository submits to the Federal Bureau of  
11 Investigation and:

12 (1) Who has applied to any agency of the State of Nevada or  
13 any political subdivision thereof for a license which it has the power  
14 to grant or deny;

15 (2) With whom any agency of the State of Nevada or any  
16 political subdivision thereof intends to enter into a relationship of  
17 employment or a contract for personal services;

18 (3) Who has applied to any agency of the State of Nevada or  
19 any political subdivision thereof to attend an academy for training  
20 peace officers approved by the Peace Officers' Standards and  
21 Training Commission;

22 (4) For whom such information is required or authorized to  
23 be obtained pursuant to NRS 62B.270, 62G.223, 62G.353, 424.031,  
24 432A.170, 432B.198, 433B.183, 449.123 and 449.4329 ~~§~~ *and*  
25 *section 15.2 of this act*; or

26 (5) About whom any agency of the State of Nevada or any  
27 political subdivision thereof is authorized by law to have accurate  
28 personal information for the protection of the agency or the persons  
29 within its jurisdiction.

30 7. To request and receive information from the Federal Bureau  
31 of Investigation concerning a person pursuant to subsection 6, the  
32 Central Repository must receive:

33 (a) The person's complete set of fingerprints for the purposes of:

34 (1) Booking the person into a city or county jail or detention  
35 facility;

36 (2) Employment;

37 (3) Contractual services; or

38 (4) Services related to occupational licensing;

39 (b) One or more of the person's fingerprints for the purposes of  
40 mobile identification by an agency of criminal justice; or

41 (c) Any other biometric identifier of the person as it may require  
42 for the purposes of:

43 (1) Arrest; or

44 (2) Criminal investigation,





1 ↪ from the agency of criminal justice or agency of the State of  
2 Nevada or any political subdivision thereof and submit the received  
3 data to the Federal Bureau of Investigation for its report.

4 8. The Central Repository shall:

5 (a) Collect and maintain records, reports and compilations of  
6 statistical data submitted by any agency pursuant to subsection 2.

7 (b) Tabulate and analyze all records, reports and compilations of  
8 statistical data received pursuant to this section.

9 (c) Disseminate to federal agencies engaged in the collection of  
10 statistical data relating to crime information which is contained in  
11 the Central Repository.

12 (d) Investigate the criminal history of any person who:

13 (1) Has applied to the Superintendent of Public Instruction  
14 for the issuance or renewal of a license;

15 (2) Has applied to a county school district, charter school or  
16 private school for employment or to serve as a volunteer; or

17 (3) Is employed by or volunteers for a county school district,  
18 charter school or private school,

19 ↪ and immediately notify the superintendent of each county school  
20 district, the governing body of each charter school and the  
21 Superintendent of Public Instruction, or the administrator of each  
22 private school, as appropriate, if the investigation of the Central  
23 Repository indicates that the person has been convicted of a  
24 violation of NRS 200.508, 201.230, 453.3385 or 453.339, or  
25 convicted of a felony or any offense involving moral turpitude.

26 (e) Upon discovery, immediately notify the superintendent of  
27 each county school district, the governing body of each charter  
28 school or the administrator of each private school, as appropriate, by  
29 providing the superintendent, governing body or administrator with  
30 a list of all persons:


31 (1) Investigated pursuant to paragraph (d); or

32 (2) Employed by or volunteering for a county school district,  
33 charter school or private school whose fingerprints were sent  
34 previously to the Central Repository for investigation,

35 ↪ who the Central Repository's records indicate have been  
36 convicted of a violation of NRS 200.508, 201.230, 453.3385 or  
37 453.339, or convicted of a felony or any offense involving moral  
38 turpitude since the Central Repository's initial investigation. The  
39 superintendent of each county school district, the governing body of  
40 a charter school or the administrator of each private school, as  
41 applicable, shall determine whether further investigation or action  
42 by the district, charter school or private school, as applicable, is  
43 appropriate.

44 (f) Investigate the criminal history of each person who submits  
45 one or more fingerprints or other biometric identifier or has such



1 data submitted pursuant to NRS 62B.270, 62G.223, 62G.353,  
2 424.031, 432A.170, 432B.198, 433B.183, 449.122, 449.123 or  
3 449.4329  *or section 15.2 of this act.*

4 (g) On or before July 1 of each year, prepare and post on the  
5 Central Repository's Internet website an annual report containing  
6 the statistical data relating to crime received during the preceding  
7 calendar year. Additional reports may be posted to the Central  
8 Repository's Internet website throughout the year regarding specific  
9 areas of crime if they are approved by the Director of the  
10 Department.

11 (h) On or before July 1 of each year, prepare and post on the  
12 Central Repository's Internet website a report containing statistical  
13 data about domestic violence in this State.

14 (i) Identify and review the collection and processing of  
15 statistical data relating to criminal justice by any agency identified  
16 in subsection 2 and make recommendations for any necessary  
17 changes in the manner of collecting and processing statistical data  
18 by any such agency.

19 (j) Adopt regulations governing biometric identifiers and the  
20 information and data derived from biometric identifiers, including,  
21 without limitation:

22 (1) Their collection, use, safeguarding, handling, retention,  
23 storage, dissemination and destruction; and

24 (2) The methods by which a person may request the removal  
25 of his or her biometric identifiers from the Central Repository and  
26 any other agency where his or her biometric identifiers have been  
27 stored.

28 9. The Central Repository may:

29 (a) In the manner prescribed by the Director of the Department,  
30 disseminate compilations of statistical data and publish statistical  
31 reports relating to crime.

32 (b) Charge a reasonable fee for any publication or special report  
33 it distributes relating to data collected pursuant to this section. The  
34 Central Repository may not collect such a fee from an agency of  
35 criminal justice or any other agency dealing with crime which is  
36 required to submit information pursuant to subsection 2. All money  
37 collected pursuant to this paragraph must be used to pay for the cost  
38 of operating the Central Repository.

39 (c) In the manner prescribed by the Director of the Department,  
40 use electronic means to receive and disseminate information  
41 contained in the Central Repository that it is authorized to  
42 disseminate pursuant to the provisions of this chapter.

43 10. As used in this section:



1 (a) "Mobile identification" means the collection, storage,  
2 transmission, reception, search, access or processing of a biometric  
3 identifier using a handheld device.

4 (b) "Personal identifying information" means any information  
5 designed, commonly used or capable of being used, alone or in  
6 conjunction with any other information, to identify a person,  
7 including, without limitation:

8 (1) The name, driver's license number, social security  
9 number, date of birth and photograph or computer-generated image  
10 of a person; and

11 (2) A biometric identifier of a person.

12 (c) "Private school" has the meaning ascribed to it in  
13 NRS 394.103.

14 **Sec. 16.** (Deleted by amendment.)

15 **Sec. 17.** NRS 200.5093 is hereby amended to read as follows:

16 200.5093 1. Any person who is described in subsection 4 and  
17 who, in a professional or occupational capacity, knows or has  
18 reasonable cause to believe that an older person or vulnerable  
19 person has been abused, neglected, exploited, isolated or abandoned  
20 shall:

21 (a) Except as otherwise provided in subsection 2, report the  
22 abuse, neglect, exploitation, isolation or abandonment of the older  
23 person or vulnerable person to:

24 (1) The local office of the Aging and Disability Services  
25 Division of the Department of Health and Human Services;

26 (2) A police department or sheriff's office; or

27 (3) A toll-free telephone service designated by the Aging and  
28 Disability Services Division of the Department of Health and  
29 Human Services; and

30 (b) Make such a report as soon as reasonably practicable but not  
31 later than 24 hours after the person knows or has reasonable cause to  
32 believe that the older person or vulnerable person has been abused,  
33 neglected, exploited, isolated or abandoned.

34 2. If a person who is required to make a report pursuant to  
35 subsection 1 knows or has reasonable cause to believe that the  
36 abuse, neglect, exploitation, isolation or abandonment of the older  
37 person or vulnerable person involves an act or omission of the  
38 Aging and Disability Services Division, another division of the  
39 Department of Health and Human Services or a law enforcement  
40 agency, the person shall make the report to an agency other than the  
41 one alleged to have committed the act or omission.

42 3. Each agency, after reducing a report to writing, shall forward  
43 a copy of the report to the Aging and Disability Services Division of  
44 the Department of Health and Human Services and the Unit for the  
45 Investigation and Prosecution of Crimes.



1 4. A report must be made pursuant to subsection 1 by the  
2 following persons:

3 (a) Every physician, dentist, dental hygienist, chiropractor,  
4 optometrist, podiatric physician, medical examiner, resident, intern,  
5 professional or practical nurse, physician assistant licensed pursuant  
6 to chapter 630 or 633 of NRS, perfusionist, psychiatrist,  
7 psychologist, marriage and family therapist, clinical professional  
8 counselor, clinical alcohol and drug counselor, alcohol and drug  
9 counselor, music therapist, athletic trainer, driver of an ambulance,  
10 paramedic, licensed dietitian, holder of a license or a limited license  
11 issued under the provisions of chapter 653 of NRS, *peer recovery*  
12 *support specialist, as defined in section 6 of this act, peer recovery*  
13 *support specialist supervisor, as defined in section 7 of this act,* or  
14 other person providing medical services licensed or certified to  
15 practice in this State, who examines, attends or treats an older  
16 person or vulnerable person who appears to have been abused,  
17 neglected, exploited, isolated or abandoned.

18 (b) Any personnel of a hospital or similar institution engaged in  
19 the admission, examination, care or treatment of persons or an  
20 administrator, manager or other person in charge of a hospital or  
21 similar institution upon notification of the suspected abuse, neglect,  
22 exploitation, isolation or abandonment of an older person or  
23 vulnerable person by a member of the staff of the hospital.

24 (c) A coroner.

25 (d) Every person who maintains or is employed by an agency to  
26 provide personal care services in the home.

27 (e) Every person who maintains or is employed by an agency to  
28 provide nursing in the home.

29 (f) Every person who operates, who is employed by or who  
30 contracts to provide services for an intermediary service  
31 organization as defined in NRS 449.4304.

32 (g) Any employee of the Department of Health and Human  
33 Services, except the State Long-Term Care Ombudsman appointed  
34 pursuant to NRS 427A.125 and any of his or her advocates or  
35 volunteers where prohibited from making such a report pursuant to  
36 45 C.F.R. § 1321.11.

37 (h) Any employee of a law enforcement agency or a county's  
38 office for protective services or an adult or juvenile probation  
39 officer.

40 (i) Any person who maintains or is employed by a facility or  
41 establishment that provides care for older persons or vulnerable  
42 persons.

43 (j) Any person who maintains, is employed by or serves as a  
44 volunteer for an agency or service which advises persons regarding  
45 the abuse, neglect, exploitation, isolation or abandonment of an



1 older person or vulnerable person and refers them to persons and  
2 agencies where their requests and needs can be met.

3 (k) Every social worker.

4 (l) Any person who owns or is employed by a funeral home or  
5 mortuary.

6 (m) ~~Every person who operates or is employed by a peer  
7 support recovery organization, as defined in NRS 449.01563.~~

8 ~~(n)~~ Every person who operates or is employed by a community  
9 health worker pool, as defined in NRS 449.0028, or with whom a  
10 community health worker pool contracts to provide the services of a  
11 community health worker, as defined in NRS 449.0027.

12 5. A report may be made by any other person.

13 6. If a person who is required to make a report pursuant to  
14 subsection 1 knows or has reasonable cause to believe that an older  
15 person or vulnerable person has died as a result of abuse, neglect,  
16 isolation or abandonment, the person shall, as soon as reasonably  
17 practicable, report this belief to the appropriate medical examiner or  
18 coroner, who shall investigate the cause of death of the older person  
19 or vulnerable person and submit to the appropriate local law  
20 enforcement agencies, the appropriate prosecuting attorney, the  
21 Aging and Disability Services Division of the Department of Health  
22 and Human Services and the Unit for the Investigation and  
23 Prosecution of Crimes his or her written findings. The written  
24 findings must include the information required pursuant to the  
25 provisions of NRS 200.5094, when possible.

26 7. A division, office or department which receives a report  
27 pursuant to this section shall cause the investigation of the report to  
28 commence within 3 working days. A copy of the final report of the  
29 investigation conducted by a division, office or department, other  
30 than the Aging and Disability Services Division of the Department  
31 of Health and Human Services, must be forwarded within 30 days  
32 after the completion of the report to the:

33 (a) Aging and Disability Services Division;

34 (b) Repository for Information Concerning Crimes Against  
35 Older Persons or Vulnerable Persons created by NRS 179A.450;  
36 and

37 (c) Unit for the Investigation and Prosecution of Crimes.

38 8. If the investigation of a report results in the belief that an  
39 older person or vulnerable person is abused, neglected, exploited,  
40 isolated or abandoned, the Aging and Disability Services Division  
41 of the Department of Health and Human Services or the county's  
42 office for protective services may provide protective services to the  
43 older person or vulnerable person if the older person or vulnerable  
44 person is able and willing to accept them.



1 9. A person who knowingly and willfully violates any of the  
2 provisions of this section is guilty of a misdemeanor.

3 10. As used in this section, "Unit for the Investigation and  
4 Prosecution of Crimes" means the Unit for the Investigation and  
5 Prosecution of Crimes Against Older Persons or Vulnerable Persons  
6 in the Office of the Attorney General created pursuant to  
7 NRS 228.265.

8 **Sec. 18.** NRS 200.5095 is hereby amended to read as follows:

9 200.5095 1. Reports made pursuant to NRS 200.5093 and  
10 200.5094, and records and investigations relating to those reports,  
11 are confidential.

12 2. A person, law enforcement agency or public or private  
13 agency, institution or facility who willfully releases data or  
14 information concerning the reports and investigation of the abuse,  
15 neglect, exploitation, isolation or abandonment of older persons or  
16 vulnerable persons, except:

17 (a) Pursuant to a criminal prosecution;

18 (b) Pursuant to NRS 200.50982; or

19 (c) To persons or agencies enumerated in subsection 3,

20 ↪ is guilty of a misdemeanor.

21 3. Except as otherwise provided in subsection 2 and NRS  
22 200.50982, data or information concerning the reports and  
23 investigations of the abuse, neglect, exploitation, isolation or  
24 abandonment of an older person or a vulnerable person is available  
25 only to:

26 (a) A physician who is providing care to an older person or a  
27 vulnerable person who may have been abused, neglected, exploited,  
28 isolated or abandoned;

29 (b) An agency responsible for or authorized to undertake the  
30 care, treatment and supervision of the older person or vulnerable  
31 person;

32 (c) A district attorney or other law enforcement official who  
33 requires the information in connection with an investigation of the  
34 abuse, neglect, exploitation, isolation or abandonment of the older  
35 person or vulnerable person;

36 (d) A court which has determined, in camera, that public  
37 disclosure of such information is necessary for the determination of  
38 an issue before it;

39 (e) A person engaged in bona fide research, but the identity of  
40 the subjects of the report must remain confidential;

41 (f) A grand jury upon its determination that access to such  
42 records is necessary in the conduct of its official business;

43 (g) Any comparable authorized person or agency in another  
44 jurisdiction;



1 (h) A legal guardian of the older person or vulnerable person, if  
2 the identity of the person who was responsible for reporting the  
3 alleged abuse, neglect, exploitation, isolation or abandonment of the  
4 older person or vulnerable person to the public agency is protected,  
5 and the legal guardian of the older person or vulnerable person is  
6 not the person suspected of such abuse, neglect, exploitation,  
7 isolation or abandonment;

8 (i) If the older person or vulnerable person is deceased, the  
9 executor or administrator of his or her estate, if the identity of the  
10 person who was responsible for reporting the alleged abuse, neglect,  
11 exploitation, isolation or abandonment of the older person or  
12 vulnerable person to the public agency is protected, and the executor  
13 or administrator is not the person suspected of such abuse, neglect,  
14 exploitation, isolation or abandonment;

15 (j) The older person or vulnerable person named in the report as  
16 allegedly being abused, neglected, exploited, isolated or abandoned,  
17 if that person is not legally incapacitated;

18 (k) An attorney appointed by a court to represent a protected  
19 person in a guardianship proceeding pursuant to NRS 159.0485, if:

20 (1) The protected person is an older person or vulnerable  
21 person;

22 (2) The identity of the person who was responsible for  
23 reporting the alleged abuse, neglect, exploitation, isolation or  
24 abandonment of the older person or vulnerable person to the public  
25 agency is protected; and

26 (3) The attorney of the protected person is not the person  
27 suspected of such abuse, neglect, exploitation, isolation or  
28 abandonment; or

29 (l) The State Guardianship Compliance Office created by  
30 NRS 159.341.

31 4. If the person who is reported to have abused, neglected,  
32 exploited, isolated or abandoned an older person or a vulnerable  
33 person is the holder of a license or certificate issued pursuant to  
34 chapters 449, 630 to 641B, inclusive, 653 or 654 of NRS **[ ] or**  
35 **sections 2 to 15.7, inclusive, of this act**, the information contained  
36 in the report must be submitted to the board **or agency** that issued  
37 the license **[ ] or certificate**.

38 5. If data or information concerning the reports and  
39 investigations of the abuse, neglect, exploitation, isolation or  
40 abandonment of an older person or a vulnerable person is made  
41 available pursuant to paragraph (b) or (j) of subsection 3 or  
42 subsection 4, the name and any other identifying information of the  
43 person who made the report must be redacted before the data or  
44 information is made available.



1       **Sec. 18.5.** Chapter 389 of NRS is hereby amended by adding  
2 thereto a new section to read as follows:

3       *The Department shall develop, maintain and publish on an*  
4 *Internet website maintained by the Department a list of evidence-*  
5 *based curricula and programs concerning the prevention of*  
6 *substance misuse and substance use disorders.*

7       **Sec. 19.** (Deleted by amendment.)

8       **Sec. 20.** Chapter 392 of NRS is hereby amended by adding  
9 thereto a new section to read as follows:

10       1. *Except as otherwise provided in subsection 2, the board of*  
11 *trustees of each school district and the governing body of each*  
12 *charter school that operates a middle school, junior high school or*  
13 *high school shall ensure that the school district or charter school,*  
14 *as applicable, participates in the biennial survey administered*  
15 *pursuant to the Youth Risk Behavior Surveillance System*  
16 *developed by the Centers for Disease Control and Prevention of*  
17 *the United States Department of Health and Human Services, or*  
18 *any equivalent or successor system developed by the Centers for*  
19 *Disease Control and Prevention.*

20       2. *A public school shall not administer the survey described*  
21 *in subsection 1 to a pupil if:*

22       (a) *The pupil is an unemancipated minor and the parent or*  
23 *guardian of the pupil has refused to consent to the administration*  
24 *of the survey pursuant to subsection 5; or*

25       (b) *The pupil has refused to participate in the survey pursuant*  
26 *to subsection 5.*

27       3. *The board of trustees of a school district or the governing*  
28 *body of a charter school that operates as a middle school, junior*  
29 *high school or high school shall ensure that a form is provided to*  
30 *the parent or guardian of each pupil to whom the survey described*  
31 *in subsection 1 will be administered that allows the parent or*  
32 *guardian to refuse consent to the administration of the survey to*  
33 *the pupil.*

34       4. *Before the administration of the survey described in*  
35 *subsection 1 to a pupil, the board of trustees of a school district or*  
36 *the governing body of a charter school shall provide the parent or*  
37 *guardian of the pupil or, if the pupil is an emancipated minor or is*  
38 *at least 18 years of age, the pupil, with an opportunity to review*  
39 *the survey and written notice of:*

40       (a) *The manner in which the survey will be administered;*

41       (b) *The manner in which the results of the survey will be used;*  
42 *and*

43       (c) *The persons who will have access to the results of the*  
44 *survey.*

45       5. *At any time:*





1 (a) *The parent or guardian of a pupil who is an*  
2 *unemancipated minor may refuse to provide consent to the*  
3 *administration of the survey described in subsection 1 by*  
4 *completing and submitting the form described in subsection 3, or*  
5 *any other written refusal of consent, to the principal or other*  
6 *person in charge of the public school in which the pupil is*  
7 *enrolled.*

8 (b) *A pupil may refuse to participate in the survey.*

9 **Sec. 20.3.** NRS 427A.175 is hereby amended to read as  
10 follows:

11 427A.175 1. Within 1 year after an older patient sustains  
12 damage to his or her property as a result of any act or failure to act  
13 by a facility for intermediate care, a facility for skilled nursing, a  
14 residential facility for groups, a home for individual residential care,  
15 an agency to provide personal care services in the home, an  
16 intermediary service organization, a community health worker pool  
17 ~~[, a peer support recovery organization]~~ or an agency to provide  
18 nursing in the home in protecting the property, the older patient may  
19 file a verified complaint with the Division setting forth the details of  
20 the damage.

21 2. Upon receiving a verified complaint pursuant to subsection  
22 1, the Administrator shall investigate the complaint and attempt to  
23 settle the matter through arbitration, mediation or negotiation.

24 3. If a settlement is not reached pursuant to subsection 2, the  
25 facility, home, agency, organization or older patient may request a  
26 hearing before the Attorney for the Rights of Older Persons and  
27 Persons with a Physical Disability, an Intellectual Disability or a  
28 Related Condition. If requested, the Attorney for the Rights of Older  
29 Persons and Persons with a Physical Disability, an Intellectual  
30 Disability or a Related Condition shall conduct a hearing to  
31 determine whether the facility, home, agency, pool or organization  
32 is liable for damages to the patient. If the Attorney for the Rights of  
33 Older Persons and Persons with a Physical Disability, an Intellectual  
34 Disability or a Related Condition determines that the facility, home,  
35 agency, pool or organization is liable for damages to the patient, the  
36 Attorney for the Rights of Older Persons and Persons with a  
37 Physical Disability, an Intellectual Disability or a Related Condition  
38 shall order the amount of the surety bond pursuant to NRS 449.065  
39 or the substitute for the surety bond necessary to pay for the  
40 damages pursuant to NRS 449.067 to be released to the Division.  
41 The Division shall pay any such amount to the older patient or the  
42 estate of the older patient.

43 4. The Division shall create a separate account for money to be  
44 collected and distributed pursuant to this section.

45 5. As used in this section:



1 (a) "Agency to provide nursing in the home" has the meaning  
2 ascribed to it in NRS 449.0015;

3 (b) "Agency to provide personal care services in the home" has  
4 the meaning ascribed to it in NRS 449.0021;

5 (c) "Community health worker pool" has the meaning ascribed  
6 to it in NRS 449.0028;

7 (d) "Facility for intermediate care" has the meaning ascribed to  
8 it in NRS 449.0038;

9 (e) "Facility for skilled nursing" has the meaning ascribed to it  
10 in NRS 449.0039;

11 (f) "Home for individual residential care" has the meaning  
12 ascribed to it in NRS 449.0105;

13 (g) "Intermediary service organization" has the meaning  
14 ascribed to it in NRS 449.4304;

15 (h) "Older patient" has the meaning ascribed to it in NRS  
16 449.065; *and*

17 (i) ~~["Peer support recovery organization" has the meaning  
18 ascribed to it in NRS 449.01563; and~~

19 ~~—(j)]~~ "Residential facility for groups" has the meaning ascribed to  
20 it in NRS 449.017.

21 **Sec. 20.6.** NRS 432.100 is hereby amended to read as follows:

22 432.100 1. There is hereby established a Statewide Central  
23 Registry for the Collection of Information Concerning the Abuse or  
24 Neglect of a Child. This Central Registry must be maintained by the  
25 Division.

26 2. The Central Registry must contain:

27 (a) The information in any substantiated report of child abuse or  
28 neglect made pursuant to NRS 392.303 or 432B.220;

29 (b) The information in any substantiated report of a violation of  
30 NRS 201.540, 201.560, 392.4633 or 394.366 made pursuant to  
31 NRS 392.303;

32 (c) Statistical information on the protective services provided in  
33 this State; and

34 (d) Any other information which the Division determines to be  
35 in furtherance of NRS 392.275 to 392.365, inclusive, 432.097 to  
36 432.130, inclusive, and 432B.010 to 432B.400, inclusive.

37 3. The Division may release information contained in the  
38 Central Registry to an employer:

39 (a) If the person who is the subject of a background  
40 investigation by the employer provides written authorization for the  
41 release of the information; and

42 (b) Either:

43 (1) The employer is required by law to conduct the  
44 background investigation of the person for employment purposes; or



1 (2) The person who is the subject of the background  
2 investigation could, in the course of his or her employment, have  
3 regular and substantial contact with children or regular and  
4 substantial contact with elderly persons who require assistance or  
5 care from other persons,

6 ↪ but only to the extent necessary to inform the employer whether  
7 the person who is the subject of the background investigation has  
8 been found to have abused or neglected a child.

9 4. Except as otherwise provided in this section or by specific  
10 statute, information in the Central Registry may be accessed only  
11 by:

12 (a) An employee of the Division;

13 (b) An agency which provides child welfare services;

14 (c) An employee of the Division of Public and Behavioral  
15 Health of the Department who is obtaining information in  
16 accordance with NRS 432A.170 ~~§~~ *or section 15.2 of this act*; and

17 (d) With the approval of the Administrator, an employee or  
18 contractor of any other state or local governmental agency  
19 responsible for the welfare of children who requests access to the  
20 information and who demonstrates to the satisfaction of the  
21 Administrator a bona fide need to access the information. Any  
22 approval or denial of a request submitted in accordance with this  
23 paragraph is at the sole discretion of the Administrator.

24 **Sec. 21.** NRS 432B.220 is hereby amended to read as follows:

25 432B.220 1. Any person who is described in subsection 4  
26 and who, in his or her professional or occupational capacity, knows  
27 or has reasonable cause to believe that a child has been abused or  
28 neglected shall:

29 (a) Except as otherwise provided in subsection 2, report the  
30 abuse or neglect of the child to an agency which provides child  
31 welfare services or to a law enforcement agency; and

32 (b) Make such a report as soon as reasonably practicable but not  
33 later than 24 hours after the person knows or has reasonable cause to  
34 believe that the child has been abused or neglected.

35 2. If a person who is required to make a report pursuant to  
36 subsection 1 knows or has reasonable cause to believe that the abuse  
37 or neglect of the child involves an act or omission of:

38 (a) A person directly responsible or serving as a volunteer for or  
39 an employee of a public or private home, institution or facility  
40 where the child is receiving child care outside of the home for a  
41 portion of the day, the person shall make the report to a law  
42 enforcement agency.

43 (b) An agency which provides child welfare services or a law  
44 enforcement agency, the person shall make the report to an agency  
45 other than the one alleged to have committed the act or omission,



1 and the investigation of the abuse or neglect of the child must be  
2 made by an agency other than the one alleged to have committed the  
3 act or omission.

4 3. Any person who is described in paragraph (a) of subsection  
5 4 who delivers or provides medical services to a newborn infant and  
6 who, in his or her professional or occupational capacity, knows or  
7 has reasonable cause to believe that the newborn infant has been  
8 affected by a fetal alcohol spectrum disorder or prenatal substance  
9 use disorder or has withdrawal symptoms resulting from prenatal  
10 substance exposure shall, as soon as reasonably practicable but not  
11 later than 24 hours after the person knows or has reasonable cause to  
12 believe that the newborn infant is so affected or has such symptoms,  
13 notify an agency which provides child welfare services of the  
14 condition of the infant and refer each person who is responsible for  
15 the welfare of the infant to an agency which provides child welfare  
16 services for appropriate counseling, training or other services. A  
17 notification and referral to an agency which provides child welfare  
18 services pursuant to this subsection shall not be construed to require  
19 prosecution for any illegal action.

20 4. A report must be made pursuant to subsection 1 by the  
21 following persons:

22 (a) A person providing services licensed or certified in this State  
23 pursuant to, without limitation, chapter 450B, 630, 630A, 631, 632,  
24 633, 634, 634A, 635, 636, 637, 637B, 639, 640, 640A, 640B, 640C,  
25 640D, 640E, 641, 641A, 641B, 641C or 653 of NRS.

26 (b) Any personnel of a medical facility licensed pursuant to  
27 chapter 449 of NRS who are engaged in the admission, examination,  
28 care or treatment of persons or an administrator, manager or other  
29 person in charge of such a medical facility upon notification of  
30 suspected abuse or neglect of a child by a member of the staff of the  
31 medical facility.

32 (c) A coroner.

33 (d) A member of the clergy, practitioner of Christian Science or  
34 religious healer, unless the person has acquired the knowledge of the  
35 abuse or neglect from the offender during a confession.

36 (e) A person employed by a public school or private school and  
37 any person who serves as a volunteer at such a school.

38 (f) Any person who maintains or is employed by a facility or  
39 establishment that provides care for children, children's camp or  
40 other public or private facility, institution or agency furnishing care  
41 to a child.

42 (g) Any person licensed pursuant to chapter 424 of NRS to  
43 conduct a foster home.

44 (h) Any officer or employee of a law enforcement agency or an  
45 adult or juvenile probation officer.



1 (i) Except as otherwise provided in NRS 432B.225, an attorney.

2 (j) Any person who maintains, is employed by or serves as a  
3 volunteer for an agency or service which advises persons regarding  
4 abuse or neglect of a child and refers them to persons and agencies  
5 where their requests and needs can be met.

6 (k) Any person who is employed by or serves as a volunteer for  
7 a youth shelter. As used in this paragraph, "youth shelter" has the  
8 meaning ascribed to it in NRS 244.427.

9 (l) *A peer recovery support specialist, as defined in section 6 of  
10 this act, or peer recovery support specialist supervisor, as defined  
11 in section 7 of this act.*

12 (m) Any adult person who is employed by an entity that  
13 provides organized activities for children, including, without  
14 limitation, a person who is employed by a school district or public  
15 school.

16 5. A report may be made by any other person.

17 6. If a person who is required to make a report pursuant to  
18 subsection 1 knows or has reasonable cause to believe that a child  
19 has died as a result of abuse or neglect, the person shall, as soon as  
20 reasonably practicable, report this belief to an agency which  
21 provides child welfare services or a law enforcement agency. If such  
22 a report is made to a law enforcement agency, the law enforcement  
23 agency shall notify an agency which provides child welfare services  
24 and the appropriate medical examiner or coroner of the report. If  
25 such a report is made to an agency which provides child welfare  
26 services, the agency which provides child welfare services shall  
27 notify the appropriate medical examiner or coroner of the report.  
28 The medical examiner or coroner who is notified of a report  
29 pursuant to this subsection shall investigate the report and submit  
30 his or her written findings to the appropriate agency which provides  
31 child welfare services, the appropriate district attorney and a law  
32 enforcement agency. The written findings must include, if  
33 obtainable, the information required pursuant to the provisions of  
34 subsection 2 of NRS 432B.230.

35 7. The agency, board, bureau, commission, department,  
36 division or political subdivision of the State responsible for the  
37 licensure, certification or endorsement of a person who is described  
38 in subsection 4 and who is required in his or her professional or  
39 occupational capacity to be licensed, certified or endorsed in this  
40 State shall, at the time of initial licensure, certification or  
41 endorsement:

42 (a) Inform the person, in writing or by electronic  
43 communication, of his or her duty as a mandatory reporter pursuant  
44 to this section;



1 (b) Obtain a written acknowledgment or electronic record from  
2 the person that he or she has been informed of his or her duty  
3 pursuant to this section; and

4 (c) Maintain a copy of the written acknowledgment or electronic  
5 record for as long as the person is licensed, certified or endorsed in  
6 this State.

7 8. The employer of a person who is described in subsection 4  
8 and who is not required in his or her professional or occupational  
9 capacity to be licensed, certified or endorsed in this State must, upon  
10 initial employment of the person:

11 (a) Inform the person, in writing or by electronic  
12 communication, of his or her duty as a mandatory reporter pursuant  
13 to this section;

14 (b) Obtain a written acknowledgment or electronic record from  
15 the person that he or she has been informed of his or her duty  
16 pursuant to this section; and

17 (c) Maintain a copy of the written acknowledgment or electronic  
18 record for as long as the person is employed by the employer.

19 9. Before a person may serve as a volunteer at a public school  
20 or private school, the school must:

21 (a) Inform the person, in writing or by electronic  
22 communication, of his or her duty as a mandatory reporter pursuant  
23 to this section and NRS 392.303;

24 (b) Obtain a written acknowledgment or electronic record from  
25 the person that he or she has been informed of his or her duty  
26 pursuant to this section and NRS 392.303; and

27 (c) Maintain a copy of the written acknowledgment or electronic  
28 record for as long as the person serves as a volunteer at the school.

29 10. As used in this section:

30 (a) "Private school" has the meaning ascribed to it in  
31 NRS 394.103.

32 (b) "Public school" has the meaning ascribed to it in  
33 NRS 385.007.

34 **Sec. 22.** (Deleted by amendment.)

35 **Sec. 22.5.** NRS 449.0045 is hereby amended to read as  
36 follows:

37 449.0045 "Facility for the dependent" includes:

38 1. A facility for the treatment of alcohol or other substance use  
39 disorders;

40 2. A halfway house for persons recovering from alcohol or  
41 other substance use disorders;

42 3. A facility for the care of adults during the day;

43 4. A residential facility for groups;

44 5. An agency to provide personal care services in the home;

45 6. A facility for transitional living for released offenders;



1 7. A home for individual residential care;  
2 8. ~~9.] A peer support recovery organization;~~  
3 ~~9.]~~ A community health worker pool; and  
4 ~~10.]~~ 9. A provider of community-based living arrangement  
5 services.

6 **Sec. 23.** (Deleted by amendment.)

7 **Sec. 24.** (Deleted by amendment.)

8 **Sec. 24.2.** NRS 449.030 is hereby amended to read as follows:  
9 449.030 Except as otherwise provided in NRS 449.03013 ~~449.03015]~~  
10 ~~449.03015]~~ and 449.03017, no person, state or local government or  
11 agency thereof may operate or maintain in this State any medical  
12 facility or facility for the dependent without first obtaining a license  
13 therefor as provided in NRS 449.029 to 449.2428, inclusive.

14 **Sec. 24.4.** NRS 449.065 is hereby amended to read as follows:  
15 449.065 1. Except as otherwise provided in subsections 6 and  
16 7 and NRS 449.067, each facility for intermediate care, facility for  
17 skilled nursing, ~~peer support recovery organization,]~~ residential  
18 facility for groups, home for individual residential care, agency to  
19 provide personal care services in the home and agency to provide  
20 nursing in the home shall, when applying for a license or renewing a  
21 license, file with the Administrator of the Division of Public and  
22 Behavioral Health a surety bond:

23 (a) If the facility, agency, organization or home employs less  
24 than 7 employees, in the amount of \$5,000;

25 (b) If the facility, agency, organization or home employs at least  
26 7 but not more than 25 employees, in the amount of \$25,000; or

27 (c) If the facility, agency, organization or home employs more  
28 than 25 employees, in the amount of \$50,000.

29 2. A bond filed pursuant to this section must be executed by  
30 the facility, agency, organization or home as principal and by a  
31 surety company as surety. The bond must be payable to the Aging  
32 and Disability Services Division of the Department of Health and  
33 Human Services and must be conditioned to provide  
34 indemnification to an older patient who the Attorney for the Rights  
35 of Older Persons and Persons with a Physical Disability, an  
36 Intellectual Disability or a Related Condition determines has  
37 suffered property damage as a result of any act or failure to act by  
38 the facility, agency, organization or home to protect the property of  
39 the older patient.

40 3. Except when a surety is released, the surety bond must cover  
41 the period of the initial license to operate or the period of the  
42 renewal, as appropriate.

43 4. A surety on any bond filed pursuant to this section may be  
44 released after the surety gives 30 days' written notice to the  
45 Administrator of the Division of Public and Behavioral Health, but



1 the release does not discharge or otherwise affect any claim filed by  
2 an older patient for property damaged as a result of any act or failure  
3 to act by the facility, agency, organization or home to protect the  
4 property of the older patient alleged to have occurred while the bond  
5 was in effect.

6 5. A license is suspended by operation of law when the facility,  
7 agency, organization or home is no longer covered by a surety bond  
8 as required by this section or by a substitute for the surety bond  
9 pursuant to NRS 449.067. The Administrator of the Division of  
10 Public and Behavioral Health shall give the facility, agency,  
11 organization or home at least 20 days' written notice before the  
12 release of the surety or the substitute for the surety, to the effect that  
13 the license will be suspended by operation of law until another  
14 surety bond or substitute for the surety bond is filed in the same  
15 manner and amount as the bond or substitute being terminated.

16 6. The Administrator of the Division of Public and Behavioral  
17 Health may exempt a ~~[peer support recovery organization,]~~  
18 residential facility for groups or a home for individual residential  
19 care from the requirement of filing a surety bond pursuant to this  
20 section if the Administrator determines that the requirement would  
21 result in undue hardship to the ~~[peer support recovery organization,]~~  
22 residential facility for groups or home for individual residential care.

23 7. The requirement of filing a surety bond set forth in this  
24 section does not apply to a facility for intermediate care, facility for  
25 skilled nursing, ~~[peer support recovery organization,]~~ residential  
26 facility for groups, home for individual residential care, agency to  
27 provide personal care services in the home or agency to provide  
28 nursing in the home that is operated and maintained by the State of  
29 Nevada or an agency thereof.

30 8. As used in this section, "older patient" means a patient who  
31 is 60 years of age or older.

32 **Sec. 24.6.** NRS 449.067 is hereby amended to read as follows:

33 449.067 1. As a substitute for the surety bond required  
34 pursuant to NRS 449.065, a facility for intermediate care, a facility  
35 for skilled nursing, ~~[a peer support recovery organization,]~~ a  
36 residential facility for groups, a home for individual residential care,  
37 an agency to provide personal care services in the home and an  
38 agency to provide nursing in the home may deposit with any bank or  
39 trust company authorized to do business in this State, upon approval  
40 from the Administrator of the Division of Public and Behavioral  
41 Health:

42 (a) An obligation of a bank, savings and loan association,  
43 savings bank, thrift company or credit union licensed to do business  
44 in this State;





1 (b) Bills, bonds, notes, debentures or other obligations of the  
2 United States or any agency or instrumentality thereof, or  
3 guaranteed by the United States; or

4 (c) Any obligation of this State or any city, county, town,  
5 township, school district or other instrumentality of this State, or  
6 guaranteed by this State, in an aggregate amount, based upon  
7 principal amount or market value, whichever is lower.

8 2. The obligations of a bank, savings and loan association,  
9 savings bank, thrift company or credit union must be held to secure  
10 the same obligation as would the surety bond required by NRS  
11 449.065. With the approval of the Administrator of the Division of  
12 Public and Behavioral Health, the depositor may substitute other  
13 suitable obligations for those deposited, which must be assigned to  
14 the Aging and Disability Services Division of the Department of  
15 Health and Human Services and are negotiable only upon approval  
16 by the Administrator of the Aging and Disability Services Division.

17 3. Any interest or dividends earned on the deposit accrue to the  
18 account of the depositor.

19 4. The deposit must be an amount at least equal to the surety  
20 bond required by NRS 449.065 and must state that the amount may  
21 not be withdrawn except by direct and sole order of the  
22 Administrator of the Aging and Disability Services Division.

23 **Sec. 24.8.** NRS 449.089 is hereby amended to read as follows:

24 449.089 1. Each license issued pursuant to NRS 449.029 to  
25 449.2428, inclusive, expires on December 31 following its issuance  
26 and is renewable for 1 year upon reapplication and payment of all  
27 fees required pursuant to NRS 449.050 unless the Division finds,  
28 after an investigation, that the facility has not:

29 (a) Satisfactorily complied with the provisions of NRS 449.029  
30 to 449.2428, inclusive, or the standards and regulations adopted by  
31 the Board;

32 (b) Obtained the approval of the Director of the Department of  
33 Health and Human Services before undertaking a project, if such  
34 approval is required by NRS 439A.100; or

35 (c) Conformed to all applicable local zoning regulations.

36 2. Each reapplication for an agency to provide personal care  
37 services in the home, an agency to provide nursing in the home, a  
38 community health worker pool, a facility for intermediate care, a  
39 facility for skilled nursing, a provider of community-based living  
40 arrangement services, a hospital described in 42 U.S.C. §  
41 1395ww(d)(1)(B)(iv), a psychiatric hospital that provides inpatient  
42 services to children, a psychiatric residential treatment facility, a  
43 residential facility for groups, a program of hospice care, a home for  
44 individual residential care, a facility for the care of adults during the  
45 day, a facility for hospice care, a nursing pool, ~~fa-peer support~~



1 ~~recovery organization,]~~ the distinct part of a hospital which meets  
2 the requirements of a skilled nursing facility or nursing facility  
3 pursuant to 42 C.F.R. § 483.5, a hospital that provides swing-bed  
4 services as described in 42 C.F.R. § 482.58 or, if residential services  
5 are provided to children, a medical facility or facility for the  
6 treatment of alcohol or other substance use disorders must include,  
7 without limitation, a statement that the facility, hospital, agency,  
8 program, pool ~~[, organization]~~ or home is in compliance with the  
9 provisions of NRS 449.115 to 449.125, inclusive, and 449.174.

10 3. Each reapplication for an agency to provide personal care  
11 services in the home, a community health worker pool, a facility for  
12 intermediate care, a facility for skilled nursing, a facility for the care  
13 of adults during the day, ~~[a peer support recovery organization,]~~ a  
14 residential facility for groups or a home for individual residential  
15 care must include, without limitation, a statement that the holder of  
16 the license to operate, and the administrator or other person in  
17 charge and employees of, the facility, agency, pool ~~[, organization]~~  
18 or home are in compliance with the provisions of NRS 449.093.

19 **Sec. 25.** NRS 449.0915 is hereby amended to read as follows:

20 449.0915 1. The Division may issue an endorsement as a  
21 crisis stabilization center to the holder of a license to operate a  
22 psychiatric hospital that meets the requirements of this section.

23 2. A psychiatric hospital that wishes to obtain an endorsement  
24 as a crisis stabilization center must submit an application in the form  
25 prescribed by the Division which must include, without limitation,  
26 proof that the applicant meets the requirements of subsection 3.

27 3. An endorsement as a crisis stabilization center may only be  
28 issued if the psychiatric hospital to which the endorsement will  
29 apply:

30 (a) Does not exceed a capacity of 16 beds or constitute an  
31 institution for mental diseases, as defined in 42 U.S.C. § 1396d;

32 (b) Operates in accordance with established administrative  
33 protocols, evidence-based protocols for providing treatment and  
34 evidence-based standards for documenting information concerning  
35 services rendered and recipients of such services in accordance with  
36 best practices for providing crisis stabilization services;

37 (c) Delivers crisis stabilization services:

38 (1) To patients for not less than 24 hours in an area devoted  
39 to crisis stabilization or detoxification before releasing the patient  
40 into the community, referring the patient to another facility or  
41 transferring the patient to a bed within the hospital for short-term  
42 treatment, if the psychiatric hospital has such beds;

43 (2) In accordance with best practices for the delivery of crisis  
44 stabilization services; and



1 (3) In a manner that promotes concepts that are integral to  
2 recovery for persons with mental illness, including, without  
3 limitation, hope, personal empowerment, respect, social  
4 connections, self-responsibility and self-determination;

5 (d) Employs ~~{qualified—persons}~~ *peer recovery support*  
6 *specialists, as defined in section 6 of this act*, to provide peer  
7 *recovery* support services, as defined in ~~[NRS 449.01566,]~~ *section 5*  
8 *of this act*, when appropriate;

9 (e) Uses a data management tool to collect and maintain data  
10 relating to admissions, discharges, diagnoses and long-term  
11 outcomes for recipients of crisis stabilization services;

12 (f) Accepts all patients, without regard to:

13 (1) The race, ethnicity, gender, socioeconomic status, sexual  
14 orientation or place of residence of the patient;

15 (2) Any social conditions that affect the patient;

16 (3) The ability of the patient to pay; or

17 (4) Whether the patient is admitted voluntarily to the  
18 psychiatric hospital pursuant to NRS 433A.140 or admitted to the  
19 psychiatric hospital under an emergency admission pursuant to  
20 NRS 433A.150;

21 (g) Performs an initial assessment on any patient who presents at  
22 the psychiatric hospital, regardless of the severity of the behavioral  
23 health issues that the patient is experiencing;

24 (h) Has the equipment and personnel necessary to conduct a  
25 medical examination of a patient pursuant to NRS 433A.165; and

26 (i) Considers whether each patient would be better served by  
27 another facility and transfer a patient to another facility when  
28 appropriate.

29 4. Crisis stabilization services that may be provided pursuant to  
30 paragraph (c) of subsection 3 may include, without limitation:

31 (a) Case management services, including, without limitation,  
32 such services to assist patients to obtain housing, food, primary  
33 health care and other basic needs;

34 (b) Services to intervene effectively when a behavioral health  
35 crisis occurs and address underlying issues that lead to repeated  
36 behavioral health crises;

37 (c) Treatment specific to the diagnosis of a patient; and

38 (d) Coordination of aftercare for patients, including, without  
39 limitation, at least one follow-up contact with a patient not later than  
40 72 hours after the patient is discharged.

41 5. An endorsement as a crisis stabilization center must be  
42 renewed at the same time as the license to which the endorsement  
43 applies. An application to renew an endorsement as a crisis  
44 stabilization center must include, without limitation:

45 (a) The information described in subsection 3; and



1 (b) Proof that the psychiatric hospital is accredited by the  
2 Commission on Accreditation of Rehabilitation Facilities, or its  
3 successor organization, or the Joint Commission, or its successor  
4 organization.

5 6. As used in this section, "crisis stabilization services" means  
6 behavioral health services designed to:

7 (a) De-escalate or stabilize a behavioral crisis, including,  
8 without limitation, a behavioral health crisis experienced by a  
9 person with a co-occurring substance use disorder; and

10 (b) When appropriate, avoid admission of a patient to another  
11 inpatient mental health facility or hospital and connect the patient  
12 with providers of ongoing care as appropriate for the unique needs  
13 of the patient.

14 **Sec. 25.2.** NRS 449.119 is hereby amended to read as follows:

15 449.119 "Facility, hospital, agency, program or home" means  
16 an agency to provide personal care services in the home, an  
17 employment agency that contracts with persons to provide  
18 nonmedical services related to personal care to elderly persons or  
19 persons with disabilities in the home, an agency to provide nursing  
20 in the home, a community health worker pool, a facility for  
21 intermediate care, a facility for skilled nursing, a provider of  
22 community-based living arrangement services, a hospital described  
23 in 42 U.S.C. § 1395ww(d)(1)(B)(iv), a psychiatric hospital that  
24 provides inpatient services to children, a psychiatric residential  
25 treatment facility, ~~[a peer support recovery organization.]~~ a  
26 residential facility for groups, a program of hospice care, a home for  
27 individual residential care, a facility for the care of adults during the  
28 day, a facility for hospice care, a nursing pool, the distinct part of a  
29 hospital which meets the requirements of a skilled nursing facility or  
30 nursing facility pursuant to 42 C.F.R. § 483.5, a hospital that  
31 provides swing-bed services as described in 42 C.F.R. § 482.58 or,  
32 if residential services are provided to children, a medical facility or  
33 facility for the treatment of alcohol or other substance use disorders.

34 **Sec. 25.5.** NRS 449.174 is hereby amended to read as follows:

35 449.174 1. In addition to the grounds listed in NRS 449.160,  
36 the Division may deny a license to operate a facility, hospital,  
37 agency, program or home to an applicant or may suspend or revoke  
38 the license of a licensee to operate such a facility, hospital, agency,  
39 program or home if:

40 (a) The applicant or licensee has been convicted of:

41 (1) Murder, voluntary manslaughter or mayhem;

42 (2) Assault or battery with intent to kill or to commit sexual  
43 assault or mayhem;



1 (3) Sexual assault, statutory sexual seduction, incest,  
2 lewdness or indecent exposure, or any other sexually related crime  
3 that is punished as a felony;

4 (4) Prostitution, solicitation, lewdness or indecent exposure,  
5 or any other sexually related crime that is punished as a  
6 misdemeanor, within the immediately preceding 7 years;

7 (5) A crime involving domestic violence that is punished as a  
8 felony;

9 (6) A crime involving domestic violence that is punished as a  
10 misdemeanor, within the immediately preceding 7 years;

11 (7) Abuse or neglect of a child or contributory delinquency;

12 (8) A violation of any federal or state law regulating the  
13 possession, distribution or use of any controlled substance or any  
14 dangerous drug as defined in chapter 454 of NRS, within the  
15 immediately preceding 7 years;

16 (9) Abuse, neglect, exploitation, isolation or abandonment of  
17 older persons or vulnerable persons, including, without limitation, a  
18 violation of any provision of NRS 200.5091 to 200.50995,  
19 inclusive, or a law of any other jurisdiction that prohibits the same  
20 or similar conduct;

21 (10) A violation of any provision of law relating to the State  
22 Plan for Medicaid or a law of any other jurisdiction that prohibits  
23 the same or similar conduct, within the immediately preceding 7  
24 years;

25 (11) A violation of any provision of NRS 422.450 to  
26 422.590, inclusive;

27 (12) A criminal offense under the laws governing Medicaid  
28 or Medicare, within the immediately preceding 7 years;

29 (13) Any offense involving fraud, theft, embezzlement,  
30 burglary, robbery, fraudulent conversion or misappropriation of  
31 property, within the immediately preceding 7 years;

32 (14) Any other felony involving the use or threatened use of  
33 force or violence against the victim or the use of a firearm or other  
34 deadly weapon; or

35 (15) An attempt or conspiracy to commit any of the offenses  
36 listed in this paragraph, within the immediately preceding 7 years;

37 (b) The licensee has, in violation of NRS 449.125, continued to  
38 employ a person who has been convicted of a crime listed in  
39 paragraph (a); or

40 (c) The applicant or licensee has had a substantiated report of  
41 child abuse or neglect made against him or her and if the facility,  
42 hospital, agency, program or home provides residential services to  
43 children, is a psychiatric hospital that provides inpatient services to  
44 children or is a psychiatric residential treatment facility.



2. In addition to the grounds listed in NRS 449.160, the Division may suspend or revoke the license of a licensee to operate an agency to provide personal care services in the home, an agency to provide nursing in the home ~~[.]~~ or a community health worker pool ~~for a peer support recovery organization~~ if the licensee has, in violation of NRS 449.125, continued to employ a person who has been convicted of a crime listed in paragraph (a) of subsection 1.

3. As used in this section:

(a) "Domestic violence" means an act described in NRS 33.018.

(b) "Facility, hospital, agency, program or home" has the meaning ascribed to it in NRS 449.119.

(c) "Medicaid" has the meaning ascribed to it in NRS 439B.120.

(d) "Medicare" has the meaning ascribed to it in NRS 439B.130.

**Sec. 25.7.** NRS 449.194 is hereby amended to read as follows:

449.194 Any person who is employed by an agency to provide personal care services in the home ~~[.]~~ or a community health worker pool ~~for a peer support recovery organization~~ who:

1. Has successfully completed a course in cardiopulmonary resuscitation according to the guidelines of the American National Red Cross or American Heart Association;

2. Has successfully completed the training requirements of a course in basic emergency care of a person in cardiac arrest conducted in accordance with the standards of the American Heart Association; or

3. Has successfully completed the training requirements of a course in the use and administration of first aid, including cardiopulmonary resuscitation,

➔ and who in good faith renders emergency care or assistance in accordance with the person's training, in the course of his or her regular employment or profession, to an elderly person or a person with a disability, is not liable for any civil damages as a result of any act or omission, not amounting to gross negligence, by that person in rendering that care.

**Sec. 26.** Chapter 458 of NRS is hereby amended by adding thereto a new section to read as follows:

**1. The State Board of Health shall adopt regulations:**

**(a) Providing for the certification of substance use disorder prevention coalitions; and**

**(b) Establishing requirements governing the membership of and geographic region served by substance use disorder prevention coalitions. The regulations adopted pursuant to this paragraph must align with nationally recognized standards for substance use disorder prevention coalitions and must provide that a geographic region may be served by more than one substance use disorder prevention coalition.**



1       2. *A certified substance use disorder prevention coalition*  
2 *shall:*

3       (a) *Advise the Department of Health and Human Services and*  
4 *the Division concerning:*

5           (1) *The needs of adults and children in the geographic*  
6 *region served by the coalition concerning the prevention of*  
7 *substance misuse and substance use disorders in the geographic*  
8 *region;*

9           (2) *Any progress, problems or plans relating to the*  
10 *provision of services for the prevention of substance misuse and*  
11 *substance use disorders and methods for improving the provision*  
12 *of such services in the geographic region served by the coalition;*

13           (3) *Identified gaps in services for the prevention of*  
14 *substance misuse and substance use disorders and*  
15 *recommendations for addressing those gaps; and*

16           (4) *Priorities for allocating resources to support and*  
17 *develop services for the prevention of substance misuse and*  
18 *substance use disorders in the geographic region served by the*  
19 *coalition.*

20       (b) *Convene interested persons and entities to promote the use*  
21 *of evidence-based strategies to address needs concerning services*  
22 *for the prevention of substance misuse and substance use*  
23 *disorders and improve such services in the geographic region*  
24 *served by the coalition.*

25       (c) *Coordinate and share information with other certified*  
26 *substance use disorder prevention coalitions to provide*  
27 *recommendations to the Department of Health and Human*  
28 *Services and the Division concerning services for the prevention*  
29 *of substance misuse and substance use disorders.*

30       (d) *Implement, in coordination with the Department of Health*  
31 *and Human Services, the Division, other certified substance use*  
32 *disorder prevention coalitions and other interested persons and*  
33 *entities, statewide efforts for the prevention of substance misuse*  
34 *and substance use disorders.*

35       (e) *Coordinate with persons and entities in this State who*  
36 *provide services related to the prevention of substance misuse and*  
37 *substance use disorders to increase the awareness of such services*  
38 *and reduce duplication of efforts.*

39       (f) *In consultation with other persons and entities in this State*  
40 *who provide services related to the prevention of substance use*  
41 *disorders, submit an annual report to the regional behavioral*  
42 *health policy board for the geographic region served by the*  
43 *substance use disorder prevention coalition. The report must*  
44 *include, without limitation:*



1           (1) *Identification of the specific needs of the geographic*  
2 *region served by the coalition concerning the prevention of*  
3 *substance misuse and substance use disorders;*

4           (2) *A description of methods that the coalition uses to*  
5 *collect and analyze data concerning:*

6           (I) *Substance misuse and substance use disorders in the*  
7 *geographic region served by the coalition; and*

8           (II) *Gaps in services related to the prevention of*  
9 *substance misuse and substance use disorders and the need for*  
10 *additional services in that region;*

11          (3) *The strategies used by the coalition and the results of*  
12 *those strategies;*

13          (4) *The goals of the coalition for the immediately preceding*  
14 *year and the degree to which the coalition achieved those goals;*  
15 *and*

16          (5) *The goals of the coalition for the immediately following*  
17 *year and the long-term goals of the coalition.*

18          3. *The Division shall collaborate with and utilize certified*  
19 *substance use disorder prevention coalitions as the primary local*  
20 *and regional entities to coordinate programs and strategies for the*  
21 *prevention of substance use disorders in this State.*

22          4. *As used in this section:*

23          (a) *“Behavioral health region” has the meaning ascribed to it*  
24 *in NRS 433.426.*

25          (b) *“Substance use disorder prevention coalition” means a*  
26 *coalition of persons and entities who possess knowledge and*  
27 *experience related to the prevention of substance misuse and*  
28 *substance use disorders in a region of this State.*

29          **Sec. 27.** NRS 458.110 is hereby amended to read as follows:

30          458.110 In addition to the activities set forth in NRS 458.025  
31 to 458.115, inclusive, *and section 26 of this act*, the Division may  
32 engage in any activity necessary to effectuate the purposes of this  
33 chapter.

34          **Sec. 28.** NRS 632.472 is hereby amended to read as follows:

35          632.472 1. The following persons shall report in writing to  
36 the Executive Director of the Board any conduct of a licensee or  
37 holder of a certificate which constitutes a violation of the provisions  
38 of this chapter:

39          (a) Any physician, dentist, dental hygienist, chiropractor,  
40 optometrist, podiatric physician, medical examiner, resident, intern,  
41 professional or practical nurse, nursing assistant, medication aide -  
42 certified, perfusionist, physician assistant licensed pursuant to  
43 chapter 630 or 633 of NRS, psychiatrist, psychologist, marriage and  
44 family therapist, clinical professional counselor, alcohol or drug  
45 counselor, *peer recovery support specialist, peer recovery support*





1 *specialist supervisor*, music therapist, holder of a license or limited  
2 license issued pursuant to chapter 653 of NRS, driver of an  
3 ambulance, paramedic or other person providing medical services  
4 licensed or certified to practice in this State.

5 (b) Any personnel of a medical facility or facility for the  
6 dependent engaged in the admission, examination, care or treatment  
7 of persons or an administrator, manager or other person in charge of  
8 a medical facility or facility for the dependent upon notification by a  
9 member of the staff of the facility.

10 (c) A coroner.

11 (d) Any person who maintains or is employed by an agency to  
12 provide personal care services in the home.

13 (e) Any person who operates, who is employed by or who  
14 contracts to provide services for an intermediary service  
15 organization as defined in NRS 449.4304.

16 (f) Any person who maintains or is employed by an agency to  
17 provide nursing in the home.

18 (g) Any employee of the Department of Health and Human  
19 Services.

20 (h) Any employee of a law enforcement agency or a county's  
21 office for protective services or an adult or juvenile probation  
22 officer.

23 (i) Any person who maintains or is employed by a facility or  
24 establishment that provides care for older persons.

25 (j) Any person who maintains, is employed by or serves as a  
26 volunteer for an agency or service which advises persons regarding  
27 the abuse, neglect or exploitation of an older person and refers them  
28 to persons and agencies where their requests and needs can be met.

29 (k) Any social worker.

30 (l) Any person who operates or is employed by a community  
31 health worker pool or with whom a community health worker pool  
32 contracts to provide the services of a community health worker, as  
33 defined in NRS 449.0027.

34 ~~[(m) Any person who operates or is employed by a peer support  
35 recovery organization.]~~

36 2. Every physician who, as a member of the staff of a medical  
37 facility or facility for the dependent, has reason to believe that a  
38 nursing assistant or medication aide - certified has engaged in  
39 conduct which constitutes grounds for the denial, suspension or  
40 revocation of a certificate shall notify the superintendent, manager  
41 or other person in charge of the facility. The superintendent,  
42 manager or other person in charge shall make a report as required in  
43 subsection 1.

44 3. A report may be filed by any other person.



1 4. Any person who in good faith reports any violation of the  
2 provisions of this chapter to the Executive Director of the Board  
3 pursuant to this section is immune from civil liability for reporting  
4 the violation.

5 5. As used in this section:

6 (a) "Agency to provide personal care services in the home" has  
7 the meaning ascribed to it in NRS 449.0021.

8 (b) "Community health worker pool" has the meaning ascribed  
9 to it in NRS 449.0028.

10 (c) ~~"Peer support recovery organization" has the meaning~~  
11 ~~ascribed to it in NRS 449.01563~~

12 ~~—(d) "Peer recovery support specialist" has the meaning~~  
13 ~~ascribed to it in section 6 of this act.~~

14 ~~[(e)] (d) "Peer recovery support specialist supervisor" has the~~  
15 ~~meaning ascribed to it in section 7 of this act.~~

16 **Sec. 29.** NRS 641.029 is hereby amended to read as follows:

17 641.029 The provisions of this chapter do not apply to:

18 1. A physician who is licensed to practice in this State;

19 2. A person who is licensed to practice dentistry in this State;

20 3. A person who is licensed as a marriage and family therapist  
21 or marriage and family therapist intern pursuant to chapter 641A of  
22 NRS;

23 4. A person who is licensed as a clinical professional counselor  
24 or clinical professional counselor intern pursuant to chapter 641A of  
25 NRS;

26 5. A person who is licensed to engage in social work pursuant  
27 to chapter 641B of NRS;

28 6. A person who is licensed as an occupational therapist or  
29 occupational therapy assistant pursuant to NRS 640A.010 to  
30 640A.230, inclusive;

31 7. A person who is licensed as a clinical alcohol and drug  
32 counselor, licensed or certified as an alcohol and drug counselor or  
33 certified as an alcohol and drug counselor intern, a clinical alcohol  
34 and drug counselor intern, a problem gambling counselor or a  
35 problem gambling counselor intern, pursuant to chapter 641C of  
36 NRS;

37 8. *A person who provides or supervises the provision of peer*  
38 *recovery support services in accordance with the provisions of*  
39 *sections 2 to 15.7, inclusive, of this act;*

40 9. A person who is licensed as a behavior analyst or an  
41 assistant behavior analyst or registered as a registered behavior  
42 technician pursuant to chapter 437 of NRS, while engaged in the  
43 practice of applied behavior analysis as defined in NRS 437.040; or

44 ~~[(9)]~~ 10. Any member of the clergy,



1 ↪ if such a person does not commit an act described in NRS  
2 641.440 or represent himself or herself as a psychologist.

3 **Sec. 30.** NRS 641B.040 is hereby amended to read as follows:  
4 641B.040 The provisions of this chapter do not apply to:

5 1. A physician who is licensed to practice in this State;

6 2. A nurse who is licensed to practice in this State;

7 3. A person who is licensed as a psychologist pursuant to  
8 chapter 641 of NRS or authorized to practice psychology in this  
9 State pursuant to the Psychology Interjurisdictional Compact  
10 enacted in NRS 641.227;

11 4. A person who is licensed as a marriage and family therapist  
12 or marriage and family therapist intern pursuant to chapter 641A of  
13 NRS;

14 5. A person who is licensed as a clinical professional counselor  
15 or clinical professional counselor intern pursuant to chapter 641A of  
16 NRS;

17 6. A person who is licensed as an occupational therapist or  
18 occupational therapy assistant pursuant to NRS 640A.010 to  
19 640A.230, inclusive;

20 7. A person who is licensed as a clinical alcohol and drug  
21 counselor, licensed or certified as an alcohol and drug counselor or  
22 certified as a clinical alcohol and drug counselor intern, an alcohol  
23 and drug counselor intern, a problem gambling counselor or a  
24 problem gambling counselor intern, pursuant to chapter 641C of  
25 NRS;

26 8. *A person who provides or supervises the provision of peer  
27 recovery support services in accordance with sections 2 to 15.7,  
28 inclusive, of this act;*

29 9. Any member of the clergy;

30 ~~10.~~ 10. A county welfare director;

31 ~~11.~~ 11. Any person who may engage in social work or  
32 clinical social work in his or her regular governmental employment  
33 but does not hold himself or herself out to the public as a social  
34 worker; or

35 ~~12.~~ 12. A student of social work and any other person  
36 preparing for the profession of social work under the supervision of  
37 a qualified social worker in a training institution or facility  
38 recognized by the Board, unless the student or other person has been  
39 issued a provisional license pursuant to paragraph (b) of subsection  
40 1 of NRS 641B.275. Such a student must be designated by the title  
41 "student of social work" or "trainee in social work," or any other  
42 title which clearly indicates the student's training status.

43 **Sec. 31.** NRS 641C.130 is hereby amended to read as follows:  
44 641C.130 The provisions of this chapter do not apply to:



1 1. A physician who is licensed pursuant to the provisions of  
2 chapter 630 or 633 of NRS;

3 2. A nurse who is licensed pursuant to the provisions of chapter  
4 632 of NRS and is authorized by the State Board of Nursing to  
5 engage in the practice of counseling persons with alcohol and other  
6 substance use disorders or the practice of counseling persons with  
7 an addictive disorder related to gambling;

8 3. A psychologist who is licensed pursuant to the provisions of  
9 chapter 641 of NRS or authorized to practice psychology in this  
10 State pursuant to the Psychology Interjurisdictional Compact  
11 enacted in NRS 641.227;

12 4. A clinical professional counselor or clinical professional  
13 counselor intern who is licensed pursuant to chapter 641A of NRS;

14 5. A marriage and family therapist or marriage and family  
15 therapist intern who is licensed pursuant to the provisions of chapter  
16 641A of NRS and is authorized by the Board of Examiners for  
17 Marriage and Family Therapists and Clinical Professional  
18 Counselors to engage in the practice of counseling persons with  
19 alcohol and other substance use disorders or the practice of  
20 counseling persons with an addictive disorder related to gambling;

21 ~~or~~

22 6. A person who is licensed as a clinical social worker pursuant  
23 to the provisions of chapter 641B of NRS and is authorized by the  
24 Board of Examiners for Social Workers to engage in the practice of  
25 counseling persons with alcohol and other substance use disorders  
26 or the practice of counseling persons with an addictive disorder  
27 related to gambling ~~or~~; *or*

28 *7. A person who provides or supervises the provision of peer*  
29 *recovery support services in accordance with sections 2 to 15.7,*  
30 *inclusive, of this act.*

31 **Sec. 31.5.** Section 8 of this act is hereby amended to read as  
32 follows:

33 Sec. 8. 1. Except as authorized by subsection 2, a  
34 person shall not:

35 (a) Provide peer recovery support services to adults for  
36 compensation as a regular part of his or her job duties or hold  
37 himself or herself out as authorized to provide peer recovery  
38 support services to adults unless he or she holds a valid  
39 certificate as a peer recovery support specialist issued by the  
40 ~~Nevada Certification Board or its successor organization.~~  
41 *Division.*

42 (b) Supervise the provision of peer recovery support  
43 services to adults for compensation as a regular part of his or  
44 her job duties or hold himself or herself out as authorized to  
45 supervise the provision of peer recovery support services to



1 adults unless he or she holds a valid certificate as a peer  
2 recovery support specialist supervisor issued by the ~~[Nevada  
3 Certification Board or its successor organization.]~~ *Division.*

4 2. ~~[If the Nevada Certification Board or its successor  
5 organization establishes]~~ *The Division may adopt regulations*  
6 *establishing* conditions ~~[governing the provision of peer  
7 recovery support services by]~~ *under which* a person who is  
8 not certified as a peer recovery support specialist ~~[while the  
9 person is acquiring the experience necessary for certification  
10 as a peer recovery support specialist, such a person]~~ may:

11 (a) Provide peer recovery support services to adults for  
12 compensation as a regular part of his or her job duties ~~[under  
13 those conditions;]~~ *while acquiring the experience necessary*  
14 *for certification;* and

15 (b) Use the title of "peer recovery support specialist  
16 ~~[intern]" while providing peer recovery support services under~~  
17 ~~those conditions.]~~ *intern."*

18 3. The Division may impose upon a person who violates  
19 this section a civil penalty in an amount prescribed by  
20 regulation of the Board.

21 **Sec. 32.** 1. On or before September 30, 2021, the board of  
22 trustees of each school district and the governing body of each  
23 charter school shall submit to the Department of Education a report  
24 that describes any curriculum or program concerning substance  
25 misuse and substance use disorders used or offered in the school  
26 district or charter school, as applicable, during the immediately  
27 preceding school year.

28 2. On or before October 31, 2021, the Department of Education  
29 shall submit to the Director of the Legislative Counsel Bureau for  
30 transmittal to the Legislative Committee on Education created by  
31 NRS 218E.605 a report that summarizes the information contained  
32 in the reports submitted to the Department pursuant to subsection 1.

33 **Sec. 33.** 1. Notwithstanding any provision of this act to the  
34 contrary, any person who provides or supervises the provision of  
35 peer recovery support services to adults as a regular part of his or  
36 her job duties on or before January 1, 2022, may continue to do so  
37 without obtaining a certificate from the Nevada Certification Board  
38 or its successor organization as required by section 8 of this act until  
39 July 31, 2023. To provide or supervise peer recovery support  
40 services on or after August 1, 2023, such a person must obtain a  
41 certificate from that organization as required by section 8 of this act.

42 2. Notwithstanding any provision of this act to the contrary,  
43 any person who holds a valid certification as a peer recovery support  
44 specialist or peer recovery support specialist supervisor issued by  
45 the Nevada Certification Board or its successor organization on the



1 date on which that organization ceases certifying peer recovery  
2 support specialists or peer recovery support specialist supervisors  
3 may provide or supervise the provision of peer recovery support  
4 services to adults as a regular part of his or her job duties without  
5 being certified by the Division of Public and Behavioral Health of  
6 the Department of Health and Human Services until 6 months after  
7 the date on which the Division begins certifying peer recovery  
8 support specialists and peer recovery support specialist supervisors  
9 pursuant to the regulations adopted by the State Board of Health  
10 pursuant to section 9 of this act. To provide or supervise the  
11 provision of peer recovery support services to adults as a regular  
12 part of his or her job duties after that date, such a person must obtain  
13 a certificate from the Division as required by section 8 of this act, as  
14 amended by section 31.5 of this act.

15 3. As used in this section, “peer recovery support services” has  
16 the meaning ascribed to it in section 5 of this act.

17 **Sec. 34.** (Deleted by amendment.)

18 **Sec. 34.5.** Any regulations adopted by the State Board of  
19 Health pursuant to NRS 449.0302 governing peer support recovery  
20 organizations are void. The Legislative Counsel shall remove those  
21 regulations from the Nevada Administrative Code as soon as  
22 practicable after January 1, 2022.

23 **Sec. 35.** The provisions of NRS 354.599 do not apply to any  
24 additional expenses of a local government that are related to the  
25 provisions of this act.

26 **Sec. 36.** NRS 449.01563, 449.01566, 449.03015, 449A.060  
27 and 449A.062 are hereby repealed.

28 **Sec. 37.** 1. This section becomes effective upon passage and  
29 approval.

30 2. Sections 18.5, 19, 20 and 32 of this act become effective on  
31 July 1, 2021.

32 3. Sections 1 to 3, inclusive, 5 to 8, inclusive, 15 to 17,  
33 inclusive, 20.3 to 31, inclusive, and 33 to 36, inclusive, of this act  
34 become effective:

35 (a) Upon passage and approval for the purpose of adopting  
36 regulations and performing any other preparatory administrative  
37 tasks that are necessary to carry out the provisions of this act; and

38 (b) On January 1, 2022, for all other purposes.

39 4. Sections 4, 9 to 14, inclusive, 18 and 31.5 of this act become  
40 effective on the date on which the Nevada Certification Board, or its  
41 successor organization, ceases certifying peer recovery support  
42 specialists or peer recovery support specialist supervisors.

43 5. Sections 10 and 11 of this act expire by limitation on the  
44 date on which the provisions of 42 U.S.C. § 666 requiring each state  
45 to establish procedures under which the state has authority to



- 1 withhold or suspend, or to restrict the use of professional,  
2 occupational and recreational licenses of persons who:  
3 (a) Have failed to comply with the subpoena or warrant relating  
4 to a proceeding to determine the paternity of a child or to establish  
5 or enforce an obligation for the support of a child; or  
6 (b) Are in arrears in the payment for the support of one or more  
7 children,  
8 ↪ are repealed by the Congress of the United States.

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### LEADLINES OF REPEALED SECTIONS

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**449.01563 “Peer support recovery organization” defined.**

**449.01566 “Peer support services” defined.**

**449.03015 Facility for the dependent or medical facility  
that employs providers of peer support services not required to  
obtain additional license.**

**449A.060 “Peer support recovery organization” defined.**

**449A.062 “Peer support services” defined.**

