

SENATE BILL NO. 84—COMMITTEE ON
COMMERCE, LABOR AND ENERGY

(ON BEHALF OF THE BOARD OF EXAMINERS FOR
ALCOHOL, DRUG AND GAMBLING COUNSELORS)

PREFILED DECEMBER 20, 2014

Referred to Committee on Commerce, Labor and Energy

SUMMARY—Includes certain alcohol and drug abuse counselors, problem gambling counselors and social workers in the definition of “provider of health care” for purposes of various provisions relating to healing arts and certain other provisions. (BDR 54-389)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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

AN ACT relating to health care providers; including certain alcohol and drug abuse counselors, problem gambling counselors and social workers in the definition of “provider of health care” for purposes of various provisions relating to healing arts and certain other provisions; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

- 1 Existing law defines the term “provider of health care” as used in various
2 provisions relating to healing arts to mean a licensed physician, physician assistant,
3 dentist, licensed nurse, dispensing optician, optometrist, practitioner of respiratory
4 care, registered physical therapist, occupational therapist, podiatric physician,
5 licensed psychologist, licensed marriage and family therapist, licensed clinical
6 professional counselor, music therapist, chiropractor, athletic trainer, perfusionist,
7 doctor of Oriental medicine, medical laboratory director or technician, pharmacist,
8 licensed dietician or licensed hospital as the employer of such a person.
9 (NRS 629.031)
10 This bill expands that definition to include an associate in social work, a social
11 worker, an independent social worker or a clinical social worker who is licensed
12 pursuant to chapter 641B of NRS, an alcohol and drug abuse counselor or a
13 problem gambling counselor who is certified pursuant to chapter 641C of NRS and



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14 an alcohol and drug abuse counselor or a clinical alcohol and drug abuse counselor
15 who is licensed pursuant to that chapter.

16 Adding those persons to the list of providers of health care makes certain
17 requirements that are currently applicable to other providers of health care
18 applicable to those persons as well. Such requirements include, without limitation,
19 retention of patient records, requirements for billing, standards for advertisements
20 and criminal penalties for acquiring certain debts. (NRS 629.051, 629.071, 629.076,
21 629.078)

22 Existing law also includes the definition of “provider of health care” by
23 reference in various other provisions. By expanding the definition, the bill expands
24 the definition for those other provisions, thereby making those provisions include
25 associates in social work, social workers, independent social workers, clinical
26 social workers, alcohol and drug abuse counselors and problem gambling
27 counselors as providers of health care. The term is referenced in provisions relating
28 to various subjects including, without limitation, admissibility of the testimony of
29 hypnotized witnesses, power of attorney, practice during declared emergencies,
30 investigations conducted concerning facilities for long-term care, confidentiality of
31 reports and referrals relating to maternal health, payments by insurance, release of
32 the results of certain laboratory tests, drug donation programs, interpreters and
33 realtime captioning providers and the Silver State Health Insurance Exchange.
34 (NRS 41.141, 48.039, 162A.790, 415A.210, 427A.145, 442.395, 449.2475, chapter
35 453B of NRS, NRS 652.193, chapters 656A and 6951 of NRS)

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

1 **Section 1.** NRS 629.031 is hereby amended to read as follows:
2 629.031 Except as otherwise provided by a specific statute:

- 3 1. “Provider of health care” means ~~the~~ **the**:
- 4 (a) A physician licensed pursuant to chapter 630, 630A or 633
5 of NRS ~~the~~ **the**;
 - 6 (b) A physician assistant ~~the~~ **the**;
 - 7 (c) A dentist ~~the~~ **the**;
 - 8 (d) A licensed nurse ~~the~~ **the**;
 - 9 (e) A dispensing optician ~~the~~ **the**;
 - 10 (f) An optometrist ~~the~~ **the**;
 - 11 (g) A practitioner of respiratory care ~~the~~ **the**;
 - 12 (h) A registered physical therapist ~~the~~ **the**;
 - 13 (i) An occupational therapist ~~the~~ **the**;
 - 14 (j) A podiatric physician ~~the~~ **the**;
 - 15 (k) A licensed psychologist ~~the~~ **the**;
 - 16 (l) A licensed marriage and family therapist ~~the~~ **the**;
 - 17 (m) A licensed clinical professional counselor ~~the~~ **the**;
 - 18 (n) A music therapist ~~the~~ **the**;
 - 19 (o) A chiropractor ~~the~~ **the**;
 - 20 (p) An athletic trainer ~~the~~ **the**;
 - 21 (q) A perfusionist ~~the~~ **the**;
 - 22 (r) A doctor of Oriental medicine in any form ~~the~~ **the**;



- 1 (s) A medical laboratory director or technician ~~†~~;
- 2 (t) A pharmacist ~~†~~;
- 3 (u) A licensed dietitian ~~†or-a†~~;
- 4 (v) *An associate in social work, a social worker, an*
- 5 *independent social worker or a clinical social worker licensed*
- 6 *pursuant to chapter 641B of NRS;*
- 7 (w) *An alcohol and drug abuse counselor or a problem*
- 8 *gambling counselor who is certified pursuant to chapter 641C of*
- 9 *NRS;*
- 10 (x) *An alcohol and drug abuse counselor or a clinical alcohol*
- 11 *and drug abuse counselor who is licensed pursuant to chapter*
- 12 *641C of NRS; or*
- 13 (y) A licensed hospital as the employer of any ~~such~~ person ~~†~~
- 14 *specified in this subsection.*
- 15 2. For the purposes of NRS 629.051, 629.061, 629.065 and
- 16 629.077, the term includes a facility that maintains the health care
- 17 records of patients.
- 18 3. For the purposes of NRS 629.400 to 629.490, inclusive, the
- 19 term includes:
- 20 (a) A person who holds a license or certificate issued pursuant to
- 21 chapter 631 of NRS; and
- 22 (b) A person who holds a current license or certificate to
- 23 practice his or her respective discipline pursuant to the applicable
- 24 provisions of law of another state or territory of the United States.
- 25 **Sec. 2.** This act becomes effective on July 1, 2015.



