

NEVADA STATE BOARD of DENTAL EXAMINERS



LEGISLATIVE, LEGAL, AND DENTAL PRACTICE
COMMITTEE TELECONFERENCE MEETING

TUESDAY, APRIL 6, 2021

6:00 P.M.

PUBLIC BOOK

Agenda Items (4)(a-d):

Overview of Legislative Bills

Nevada State Board of Dental Examiners

**AMENDED NOTICE OF AGENDA FOR LEGISLATIVE, LEGAL, AND DENTAL
PRACTICE COMMITTEE MEETING**

Agenda Item 4(a): Legislative Update

The 81st (2021) Session of the Nevada Legislature has produced several Bills that, if passed in their current draft forms, may have direct or indirect impact upon the Board and its ability to perform its duties pursuant to Nevada Revised Statutes Chapter 631. The following proposed bills have been identified as noteworthy from this legislative session in that respect.

Because the text of these Bills are subject to frequent change and amendments while the Legislature is in session, we are providing the following hyperlinks to the Bills' respective pages on the Nevada Legislature's NELIS webpage. The materials within each NELIS entry is being submitted as "supporting materials" pursuant to NRS 241.015(6) for the LEGISLATIVE, LEGAL, AND DENTAL PRACTICE COMMITTEE MEETING set for April 6, 2021 @ 6pm pursuant to NRS 421

In addition, the full Overview of each bill, including sponsor(s), title, and digest, will be separately provided as additional "supporting materials," but will only reflect the Overview as of the time and date they were generated for inclusion in the Board materials.

AB 269 <https://www.leg.state.nv.us/App/NELIS/REL/81st2021/Bill/8094/Overview>

AB 369 <https://www.leg.state.nv.us/App/NELIS/REL/81st2021/Bill/7946/Overview>

AB 438 <https://www.leg.state.nv.us/App/NELIS/REL/81st2021/Bill/8093/Overview>

AB 439 <https://www.leg.state.nv.us/App/NELIS/REL/81st2021/Bill/8094/Overview>

SB 5 <https://www.leg.state.nv.us/App/NELIS/REL/81st2021/Bill/8096/Overview>

SB 326 <https://www.leg.state.nv.us/App/NELIS/REL/81st2021/Bill/7960/Overview>

SB 335 <https://www.leg.state.nv.us/App/NELIS/REL/81st2021/Bill/7972/Overview>

SB 379 <https://www.leg.state.nv.us/App/NELIS/REL/81st2021/Bill/8066/Overview>

SB 391 <https://www.leg.state.nv.us/App/NELIS/REL/81st2021/Bill/8096/Overview>

AB269

[HOME](#) / [BILLS AND RESOLUTIONS](#) / [ASSEMBLY BILLS](#) / AB269

Summary Revises provisions relating to providers of dental care. (BDR 54-645)

Introduction Date Monday, March 15, 2021

Fiscal Notes Effect on Local Government: No.

Effect on the State: Yes.

Primary Sponsors

[Assemblyman Philip P.K. O'Neill](#)

[Assemblywoman Robin Titus](#)

[Senator Joseph Hardy](#)

[Senator Fabian Donate](#)

Co-Sponsor(s)

[Assemblywoman Venicia Considine](#)

[Assemblywoman Jill Dickman](#)

[Assemblywoman Alexis Hansen](#)

[Assemblywoman Heidi Kasama](#)

[Assemblyman Richard McArthur](#)

[Assemblyman Tom Roberts](#)

[Assemblywoman Clara Thomas](#)

[Assemblywoman Jill Tolles](#)

[Assemblyman Jim Wheeler](#)

[Senator Ben Kieckhefer](#)

[Senator James Settelmeyer](#)

Title AN ACT relating to dentistry; providing for the issuance of special endorsements for a dentist, dental hygienist or dental therapist to administer immunizations; imposing certain requirements concerning the administration of immunizations by the holder of such an endorsement; authorizing the imposition of disciplinary action against a dentist, dental hygienist or dental therapist for certain violations; revising the required qualifications of the State Dental Health Officer; authorizing the State Public Health Dental Hygienist to pursue another business or vocation under certain circumstances; and providing other matters properly relating thereto.

Digest Existing law regulates the practices of dentistry, dental hygiene and dental therapy. (Chapter 631 of NRS) Existing law generally authorizes a dental hygienist or dental therapist to perform only the tasks authorized by a licensed dentist. (NRS 631.310, 631.3122) Sections 2 and 3 of this bill require the Board of Dental Examiners of Nevada to issue to a licensed dentist, dental hygienist or dental therapist a special endorsement to administer immunizations generally or to administer immunizations for influenza only if the licensed dentist, dental hygienist or dental therapist completes a course of training in the administration of immunizations that is approved by the Board. Section 7 of this bill prescribes the continuing education required to maintain such an endorsement. Sections 2 and 3 authorize a dental hygienist or dental therapist who holds such a special endorsement to administer immunizations only under the authorization of a dentist who also holds such a special endorsement. Section 4 of this bill requires a dentist who holds a special endorsement to administer immunizations issued pursuant to section 2 or 3 and who administers immunizations, or under whose authorization a dental hygienist or dental therapist administers immunizations, to: (1) issue or obtain from certain persons a standing order

for the administration of the immunizations; and (2) establish certain policies concerning the administration of immunizations. Section 4 also requires a dentist, dental hygienist or dental therapist who holds such an endorsement to comply with the instructions of the manufacturer of an immunization and certain federal guidelines for administering immunizations. Section 5 of this bill requires a dentist, dental hygienist or dental therapist to provide certain information to the patient, obtain the informed written consent of the patient and review the medical history of the patient before administering an immunization. Section 5 additionally requires a dentist, dental hygienist or dental therapist to rely on and act in conformance with the conclusions of a physician, physician assistant or advanced practice registered nurse concerning the advisability of administering an immunization to a patient. Section 6 of this bill requires a dentist, dental hygienist or dental therapist who holds a special endorsement to administer immunizations to maintain certain records concerning the administration of immunizations. Section 8 of this bill authorizes the Board to impose disciplinary action against a dentist, dental hygienist or dental therapist who: (1) administers an immunization without the proper special endorsement; or (2) fails to comply with existing requirements to report certain information relating to immunizations. The Board would also be authorized under existing law to impose disciplinary action against a dentist, dental hygienist or dental therapist who willfully or repeatedly violates other provisions of this bill governing the administration of immunizations. (NRS 631.3485) Existing law: (1) provides for the appointment of a State Dental Health Officer and a State Public Health Dental Hygienist; (2) requires those officers to perform certain duties relating to public dental health or public health dental hygiene, as applicable; and (3) prohibits those officers from pursuing any other business or vocation. (NRS 439.272, 439.279) Section 9 of this bill revises the required qualifications of the State Dental Health Officer to allow a person who is not a licensed dentist in this State to be appointed as the State Dental Health Officer if he or she has a masters or doctorate degree in public health or a related field and is a graduate of an accredited dental college or residency program. Section 10 of this bill authorizes the State Public Health Dental Hygienist to pursue another business or vocation with the approval of the Division of Public and Behavioral Health of the Department of Health and Human Services.

Most Recent History Action

From printer. To committee.

(See full list below)

Upcoming Hearings

None scheduled

Past Hearings

No data to display

Final Passage Votes

None recorded

Conference Committees

None scheduled

Bill Text

As Introduced

Bill History

Date

Action

Journal

Date

Action

Public Book Page 6
Journal

Mar 15, 2021

Read first time. Referred to Committee
on Commerce and Labor. To printer.

Assembly: Journal
Senate: Not discussed

Mar 16, 2021

From printer. To committee.

Assembly: Not discussed
Senate: Not discussed

Summary	Revises provisions relating to professional and occupational boards. (BDR 18-231)
Introduction Date	Monday, March 22, 2021
Fiscal Notes	Effect on Local Government: No. Effect on the State: Yes.

Primary Sponsor

[Assemblywoman Alexis Hansen](#)

Title AN ACT relating to governmental administration; providing for the expiration of certain professional and occupational licensing boards unless renewed by the Legislature; requiring the Sunset Subcommittee of the Legislative Commission to review such boards before their expiration and make recommendations; and providing other matters properly relating thereto.

Digest Existing law provides for the regulation of certain occupations and professions in this State by various agencies, boards and commissions in the Executive Department of the State Government, which are generally referred to as professional and occupational licensing boards. (See, e.g., Title 54 of NRS) Section 1 of this bill provides for the expiration by law of such a professional or occupational licensing board after 6 years unless the Legislature renews the board. Section 1 provides that if such a board expires, a person may engage in the profession or occupation that had been regulated by the board without a license, certificate, registration, permit or similar type of authorization issued by a professional or occupational licensing board. Existing law requires the Sunset Subcommittee of the Legislative Commission to review at least 10 boards or commissions in this State each legislative interim to determine whether the board or commission should be terminated, modified, consolidated or continued. (NRS 232B.210-232B.250) Section 2 of this bill requires the Sunset Subcommittee to review each professional or occupational licensing board that is required to expire pursuant to section 1 during the legislative interim immediately preceding the prospective expiration of the board. Section 2 also eliminates the minimum number of reviews of other boards and commissions that the Sunset Subcommittee is required to conduct. Section 3 of this bill makes conforming changes related to the review of professional and occupational licensing boards by the Sunset Subcommittee. Section 4 of this bill requires the Sunset Subcommittee to include certain recommendations for the conclusion of business and operation in any recommendation for nonrenewal made by the Subcommittee. Existing law allows each statutory legislative committee and interim study committee to request a certain number of legislative measures preceding a regular session. (NRS 218D.160) Section 5 of this bill authorizes the Sunset Subcommittee to request the drafting of as many legislative measures as are necessary to facilitate its recommendations relating to the renewal of professional and occupational licensing boards.

Most Recent History Action

From printer. To committee.

(See full list below)

Upcoming Hearings

None scheduled

Past Hearings

No data to display

Final Passage Votes

None recorded

Conference Committees



None scheduled

Bill Text

As Introduced

Bill History

Date	Action	Journal
Mar 22, 2021	Read first time. Referred to Committee on Government Affairs. To printer.	Assembly: <u>Journal</u> Senate: Not discussed
Mar 24, 2021	From printer. To committee.	Assembly: Not discussed Senate: Not discussed

AB438

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Summary	Revises provisions relating to dentistry. (BDR 54-1137)
Introduction Date	Friday, March 26, 2021
Fiscal Notes	Effect on Local Government: No. Effect on the State: Yes.
Primary Sponsor	<u>Assembly Committee on Commerce and Labor</u>
Title	AN ACT relating to dentistry; authorizing the Board of Dental Examiners of Nevada to employ persons for certain purposes; prescribing conditions concerning such employment; revising provisions governing the treatment of a patient by a dentist, dental hygienist or dental therapist licensed in another jurisdiction during certain courses of continuing education; providing for the licensure by endorsement of dentists and dental hygienists; prohibiting the imposition of disciplinary action against a dentist, dental hygienist or dental therapist for certain reasons; revising the types of disciplinary action that the Board is authorized to impose; revising provisions concerning the investigation of a complaint against a dentist, dental hygienist or dental therapist; and providing other matters properly relating thereto.
Digest	Existing law creates the Board of Dental Examiners of Nevada to regulate the practices of dentistry, dental hygiene and dental therapy in this State and provides for the appointment of the Executive Director of the Board. (NRS 631.120, 631.160) Section 2 of this bill authorizes the Board to employ certain personnel necessary to the discharge of its duties. Sections 2 and 4 of this bill provide that all employees of the Board, including the Executive Director, are at-will employees who serve at the pleasure of the Board. Section 2 prescribes certain additional requirements governing the employment of hearing officers. Section 2 also authorizes the Executive Director to appoint and remove or discharge employees with the approval of the Board. Existing law authorizes a dentist who is not licensed in this State but is licensed in another jurisdiction to treat a patient whom he or she has previously treated during certain courses of continuing education under the supervision of the holder of a limited license to supervise courses of continuing education. (NRS 631.215) Section 5 of this bill: (1) additionally authorizes a dental hygienist or dental therapist to treat a patient under those conditions; (2) removes the requirement that the dentist, dental hygienist or dental therapist must have previously treated the patient; and (3) authorizes any dentist, dental hygienist or dental therapist licensed in this state to supervise such treatment. Existing law authorizes the Board to issue a license to practice dentistry as a specialist without a clinical examination to an applicant who: (1) has completed the educational requirements specified for certification in a specialty area by a certifying board approved by the Commission on Dental Accreditation of the American Dental Association; and (2) is recognized by the certifying board as being eligible for that certification. (NRS 631.255) Section 6 of this bill removes an additional requirement that such a person be certified as a diplomate of the certifying board within 6 years after licensure. Until July 1, 2006, existing law authorized the Board to issue a temporary license to practice dentistry without a clinical examination to an applicant who was licensed in another jurisdiction of the United States, had practiced dentistry for at least 5 years and met certain other requirements. (NRS 631.272) Section 7 of this bill authorizes the Board to issue a license by endorsement to practice dentistry to an applicant who: (1) is licensed in another jurisdiction of the United States; (2) has practiced dentistry or served as a full-time faculty member of an accredited school of dentistry for at least 5 years or, if the applicant has completed an accredited residency program, 3 years; (3) has not been subject to certain professional discipline in another jurisdiction; and (4) meets certain other requirements. Section 3 of this bill similarly authorizes the Board to issue a license by endorsement to practice dental hygiene to an applicant who: (1) is licensed in another jurisdiction of the United States; (2) has practiced dental hygiene for at least 5 years; (3) has not been subject to certain professional discipline in another jurisdiction; and (4) meets certain other requirements. Existing law authorizes the imposition of disciplinary action against a licensed dentist, dental hygienist or dental therapist who engages in the illegal practice of dentistry, dental hygiene or dental therapy or unprofessional conduct, violates the regulations of the Board or breaches a duty to an organization for dental care. (NRS 631.350, 695D.190) Section 8 of this bill prohibits the Board from imposing disciplinary action for any other grounds or for any conduct that occurred more than 5 years before the submission of the relevant complaint to the Board. Section 8 also: (1) limits the amount of the fine that the Board may impose on a licensee; and (2) authorizes the Board to issue a written warning, letter of concern or other written correspondence to a licensee. Section 10 of this bill requires a committee of members of the Board to review and investigate a complaint and if there is a reasonable basis, refer the complaint to the Board or a hearing officer or panel appointed by the Board to hold a formal hearing on the complaint. Section 10 requires the redaction of the identifying information of any person involved in the activities discussed in the complaint for the purposes of such a review and investigation. Sections 10 and 13 of this bill exempt the meetings of such a committee from provisions of law requiring that the meetings of a public body must be open and public. Existing law authorizes the

Board appoint one of its members and any of its employees, investigators or other agents to conduct an investigation and informal hearing concerning a violation of provisions of law or regulations governing the practice of dentistry, dental hygiene and dental therapy. After an informal hearing, existing law requires an investigator to prepare and submit to the Board written findings of fact and conclusions only if the investigator determines that the Board should take further action. Existing law authorizes the Board to consider the investigator's report if it holds its own hearing on the matter. (NRS 631.363) If the Board appoints one of its members and any of its employees, investigators or other agents to conduct an investigation and informal hearing, existing law requires the Board to appoint a panel of members to review the investigation and informal hearing. (NRS 631.3635) Section 11 of this bill requires the investigator to prepare and submit to the Board written findings of fact and conclusions regardless of whether the investigator determines that the Board should take further action. Sections 9 and 11 of this bill also require the Board or a hearing officer or panel to which the Board has delegated its disciplinary authority to: (1) hold a hearing on the complaint regardless of the investigator's determination; and (2) consider at that hearing the report of the investigator and the recommendations of the review panel. Section 12 of this bill requires the findings of such a review panel to include findings concerning whether any determination made during the investigation and informal hearing was without basis.

Most Recent History Action

From printer. To committee.

(See full list below)

Upcoming Hearings

None scheduled

Past Hearings

<u>Assembly Commerce and Labor</u>	<u>Mar 26, 2021</u>	<u>11:20 AM</u>	Floor meetings do not have agendas.	Minutes not yet available	Discussed as BDR
<u>Assembly Commerce and Labor</u>	<u>Mar 31, 2021</u>	<u>6:00 PM</u>	<u>Agenda</u>	Minutes not yet available	Heard

Final Passage Votes

None recorded

Conference Committees

None scheduled

Bill Text

[As Introduced](#)

Bill History

Date	Action	Journal
Mar 26, 2021	Read first time. Referred to Committee on Commerce and Labor. To printer.	Assembly: <u>Journal</u> Senate: Not discussed
Mar 29, 2021	From printer. To committee.	Assembly: Not discussed Senate: Not discussed

Summary	Revises provisions relating to occupational licensing. (BDR 54-383)
Introduction Date	Friday, March 26, 2021
Fiscal Notes	Effect on Local Government: No. Effect on the State: Yes.
Primary Sponsor	<u>Assembly Committee on Commerce and Labor</u>
Title	AN ACT relating to occupational licensing; requiring a regulatory body to issue a license by endorsement to engage in a profession or an occupation to certain persons affiliated with the Armed Forces of the United States; requiring a regulatory body to collect certain data concerning applicants for a license and post certain information on an Internet website; requiring a regulatory body to issue a license by endorsement to engage in certain health-related professions to a person who meets certain requirements; and providing other matters properly relating thereto.
Digest	Existing law requires a regulatory body that issues occupational licenses pursuant to title 54 of NRS to develop regulations for the issuance of licenses by endorsement to persons who: (1) hold a corresponding valid and unrestricted license to engage in the relevant occupation or profession in another jurisdiction of the United States; (2) possess qualifications that are substantially similar to the qualifications required for issuance of a license to engage in that occupation or profession in this State; and (3) meet certain other requirements. (NRS 622.530) Existing law also prescribes specific requirements for the issuance of an expedited license by endorsement to practice in certain health care professions which do not require an applicant to possess qualifications substantially similar to those required for the issuance of a license in this State. (NRS 437.215, 630.1606, 630.2751, 632.161, 632.281, 633.399, 633.4335, 635.066, 636.206, 637B.203, 639.136, 639.2315, 640.145, 640A.165, 641A.241, 641B.271, 641C.3305, 641C.355, 641C.395, 641C.432, 653.530) Existing law prescribes similar requirements for the issuance of an expedited license by endorsement as an allopathic, osteopathic or podiatric physician and authorizes the regulatory body to issue a provisional license to the applicant before the regulatory body makes a final decision. (NRS 630.1607, 633.400, 635.0665) Existing law: (1) prescribes similar requirements for the issuance of an expedited license by endorsement to practice in other health-related professions to an applicant who is an active member of, or the spouse of an active member of, the Armed Forces of the United States, a veteran or the surviving spouse of a veteran; and (2) authorizes a regulatory body to issue a provisional license to such an applicant before making a final decision. (NRS 437.220, 630.2752, 632.162, 632.282, 633.4336, 636.207, 637B.204, 639.1365, 639.2316, 640.146, 640A.166, 640C.426, 641.196, 641A.242, 641B.272, 641C.3306, 641C.356, 641C.396, 641C.433, 653.540) Existing law requires a regulatory body to issue an expedited license by endorsement unless the applicant does not meet the statutory requirements for the issuance of the license by endorsement or the regulatory body has good cause to deny the application. (NRS 437.215, 437.220, 630.1306, 630.1607, 630.2751, 630.2752, 632.161, 632.162, 632.281, 632.282, 633.399, 633.400, 633.4335, 633.4336, 635.066, 635.0665, 636.206, 636.207, 637B.203, 637B.204, 639.136, 639.1365, 639.2315, 639.2316, 640.145, 640.146, 640A.165, 640A.166, 640C.426, 641.195, 641.196, 641A.241, 641A.242, 641B.271, 641B.272, 641C.3305, 641C.3306, 641C.355, 641C.356, 641C.395, 641C.396, 641C.432, 641C.433, 653.530, 653.540) Sections 2 and 83 of this bill require a regulatory body that regulates an occupation or profession under title 54 or the practice of applied behavior analysis to issue a license by endorsement to an applicant who is an active member of, or the spouse of an active member of, the Armed Forces of the United States, a veteran or the surviving spouse of a veteran under similar circumstances to those prescribed by existing law for the issuance of an expedited license by endorsement to engage in a health-related profession. Sections 2 and 83 require a regulatory body to issue a provisional license to such an applicant immediately upon the submission of an application for an expedited license by endorsement. Sections 2 and 80 of this bill require a regulatory body to collect from such an applicant not more than one-half of the fee prescribed for the initial issuance of the license. Sections 84, 85 and 88 of this bill remove from section 2 certain requirements necessary to comply with federal law concerning the collection of child support obligations from applicants for the issuance or renewal of occupational licenses if that federal law is repealed. Section 87 of this bill repeals: (1) existing provisions for expedited licensure by endorsement of active members of, or the spouses of active members of, the Armed Forces of the United States, veterans or the surviving spouses of veterans; and (2) other duplicative provisions of existing law. Section 3 of this bill prescribes the conditions under which a regulatory body has good cause to deny an application for expedited licensure by endorsement: (1) to active members of, or the spouses of active members of, the Armed Forces of the United States, veterans or the surviving spouses of veterans; or (2) to engage in certain health-related professions. Section 6 of this bill makes a conforming change to indicate the placement of sections 2 and 3 in the Nevada Revised Statutes. Sections 7, 9-14, 16, 17, 19, 20, 22-24, 26, 28-31, 33, 34, 36-38, 40-42, 44, 45, 47-49, 51, 52, 54-60, 62-65, 67, 69, 70, 75-77 and 81 of this bill make conforming changes to remove references to provisions of law repealed by section 86. Sections 8, 15, 18, 21, 25, 27,

32, 35, 39, 43, 46, 50, 53, 61, 66, 68, 71-74, 78 and 82 of this bill clarify that a regulatory body is required to issue an expedited license by endorsement to practice in certain health-related professions when the applicant meets the statutory requirements for the issuance of such a license. Existing law requires a regulatory body to collect information regarding whether an applicant for licensure is a service member or veteran. (NRS 622.120) Section 4 of this bill additionally requires a regulatory body to collect information concerning whether an applicant for licensure is: (1) the spouse of a service member or veteran; or (2) the surviving spouse of a veteran. Section 79 of this bill requires a regulatory body to include this additional information in its annual report to the Interagency Council on Veterans Affairs. Section 4 also requires a regulatory body to post on an Internet website the options for obtaining any license issued by the regulatory body that are available to a service member or veteran, the spouse of a service member or veteran or the surviving spouse of a veteran.

Most Recent History Action

From printer. To committee.

(See full list below)

Upcoming Hearings

None scheduled

Past Hearings

<u>Assembly Commerce and Labor</u>	<u>Mar 26, 2021</u>	<u>11:20 AM</u>	Floor meetings do not have agendas.	Minutes not yet available	Discussed as BDR
<u>Assembly Commerce and Labor</u>	<u>Mar 31, 2021</u>	<u>6:00 PM</u>	<u>Agenda</u>	Minutes not yet available	Heard

Final Passage Votes

None recorded

Conference Committees

None scheduled

Bill Text

As Introduced

Bill History

Date	Action	Journal
Mar 26, 2021	Read first time. Referred to Committee on Commerce and Labor. To printer.	Assembly: <u>Journal</u> Senate: Not discussed
Mar 29, 2021	From printer. To committee.	Assembly: Not discussed Senate: Not discussed

SB5

[HOME](#) / [BILLS AND RESOLUTIONS](#) / [SENATE BILLS](#) / SB5

Summary	Makes changes relating to telehealth. (BDR 40-416)
Introduction Date	Wednesday, November 18, 2020
Fiscal Notes	Effect on Local Government: No. Effect on the State: Yes.
Primary Sponsor	<u>Senate Committee on Health and Human Services</u>
Title	AN ACT relating to health care; requiring the Department of Health and Human Services to establish an electronic tool to analyze certain data concerning access to telehealth; requiring certain entities to review access to services provided through telehealth and evaluate policies to make such access more equitable; revising provisions governing services provided through telehealth and insurance coverage of such services; and providing other matters properly relating thereto.
Digest	Existing law: (1) defines the term "telehealth" to mean the delivery of services from a provider of health care to a patient at a different location through the use of information and audio-visual communication technology, not including standard telephone, facsimile or electronic mail; and (2) requires a provider of health care who is located in another state to hold a valid license or certificate in this State before using telehealth to provide certain services to a patient located in this State. (NRS 629.515) Section 8 of this bill includes as telehealth the delivery of services from a provider of health care to a patient at a different location through the use of a standard telephone. Section 1 of this bill requires the Department of Health and Human Services to establish a data dashboard that allows for the analysis of data relating to access to telehealth by different groups and populations in this State. Existing law establishes: (1) the Commission on Behavioral Health, which is comprised of certain providers and consumers of behavioral health services and members of the general public and which establishes policies relating to services for persons with certain behavioral health issues; (2) five regional behavioral health policy boards, each of which is comprised of a Legislator and various persons with knowledge and experience concerning behavioral health in five designated regions of this State and each of which gathers information and provides advice concerning behavioral health needs in the region served by the board; (3) the Patient Protection Commission, which is comprised of stakeholders in the health care industry and which studies issues related to the health care needs of residents of this State; and (4) the Legislative Committee on Health Care, which is comprised of legislators with knowledge of and experience with health care and studies issues related to health care during the interim period between regular legislative sessions. (NRS 232.361, 433.428, 433.429, 433.4295, 439.908, 439.916, 439B.200, 439B.210, 439B.220) Sections 2, 3, 5 and 6 of this bill expand the duties of those bodies to include: (1) using the data dashboard to review access by different groups and populations in this State to services provided through telehealth; and (2) evaluating policies to make such access more equitable. Sections 1 and 2 of this bill require the data dashboard to be accessible through Internet websites maintained by the Department and the Patient Protection Commission, respectively. Existing law imposes certain requirements concerning coverage of telehealth services by insurers and certain other third-party payers. Those requirements: (1) include a requirement that an insurer or other third-party payer must cover services provided through telehealth to the same extent as if provided in person or by other means, regardless of the site at which the provider or patient is located; and (2) apply to health coverage, including Medicaid and health plans for state and local government employees, and workers' compensation coverage. (NRS 287.010, 287.04335, 422.2721, 616C.730, 689A.0463, 689B.0369, 689C.195, 695A.265, 695B.1904, 695C.1708, 695D.216, 695G.162) Because section 8 includes services provided using a standard telephone within the definition of "telehealth" for the purposes of those requirements, section 8 makes those requirements applicable to services provided by telephone. Sections 4, 7 and 9-16 additionally prohibit a third-party payer from: (1) refusing to pay for services provided through telehealth because of the technology used to provide the services; or (2) categorizing a service provided through telehealth differently for purposes relating to coverage or reimbursement than if the service had been provided in person or through other means. Sections 4, 7 and 9-16 also require a third-party payer to cover services provided through telehealth, except for services provided using a standard telephone, in the same amount as services provided in person or by other means.

Most Recent History Action

Read first time. To committee.

(See full list below)

Upcoming Hearings

None scheduled

Past Hearings

<u>Assembly Health and Human Services</u>	<u>Feb 17, 2021</u>	<u>1:30 PM</u>	<u>Agenda</u>	<u>Minutes</u>	Mentioned no jurisdiction
<u>Senate Finance</u>	<u>Mar 05, 2021</u>	<u>8:00 AM</u>	<u>Agenda</u>	Minutes not yet available	Mentioned No Jurisdiction
<u>Senate Health and Human Services</u>	<u>Mar 09, 2021</u>	<u>3:30 PM</u>	<u>Agenda</u>	<u>Minutes</u>	Heard, No Action

Final Passage Votes

None recorded

Conference Committees

None scheduled

Bill Text

As Introduced

Bill History

Date	Action	Journal
Nov 18, 2020	Prefiled. Referred to Committee on Health and Human Services. To printer.	
Dec 14, 2020	From printer.	
Feb 01, 2021	Read first time. To committee.	Assembly: Not discussed Senate: <u>Journal</u>

SB326

[HOME](#) / [BILLS AND RESOLUTIONS](#) / [SENATE BILLS](#) / SB326

Summary Revises provisions relating to providers of health care. (BDR 54-614)

Introduction Date Monday, March 22, 2021

Fiscal Notes Effect on Local Government: No.

Effect on the State: Yes.

Primary Sponsor

Senator Joseph Hardy

Title AN ACT relating to professions; authorizing a provider of health care who is licensed or certified in another state to register to use telehealth to provide services to patients located in this State; requiring the Board of Medical Examiners and the State Board of Osteopathic Medicine to prescribe electronic application forms and report certain information to the Legislature; requiring the Commissioner of Insurance to prescribe a form on which a physician may apply to be included in the network of providers of any health carrier who provides coverage to residents of this State; and providing other matters properly relating thereto.

Digest Existing law requires a provider of health care to hold a valid license or certificate in this State in order to use telehealth to direct or manage the care or render a diagnosis of a patient who is located at an originating site in this State or write a treatment order or prescription for such a patient. (NRS 629.515) Existing law authorizes the Governor to waive professional licensing requirements during an emergency. (NRS 414.070) On March 12, 2020, the Governor declared a state of emergency due to the COVID-19 pandemic. In the Declaration of Emergency Directive 11 issued pursuant to that State of Emergency on April 1, 2020, the Governor waived licensing requirements, including requirements relating to telehealth, for skilled medical professionals, including physicians, physician assistants, nurses, providers of emergency medical services, pharmacists and providers of behavioral health services. Section 3 of this bill defines the term "regulatory body" to mean any state agency or board that licenses or certifies providers of health care. Section 4 of this bill authorizes a provider of health care who holds a license or certificate in another jurisdiction of the United States to provide services to a patient located at an originating site in this State if he or she registers with the regulatory body that regulates his or her profession in this State. Section 4 provides that such registration is valid for 1 year and is not renewable. Section 4: (1) requires a registrant to comply with the laws and regulations governing the practice of his or her profession in this State; and (2) authorizes the applicable regulatory body to impose disciplinary action against a registrant who fails to comply with those laws and regulations. Sections 7, 10 and 11 of this bill make conforming changes to clarify that a registrant is authorized to use telehealth to provide services to residents of this State without being licensed or certified in this State. Existing federal law requires each state to adopt procedures to ensure that applicants for occupational licenses and certificates comply with child support obligations. (42 U.S.C. § 666) Sections 5 and 6 of this bill enact such procedures as applicable to an applicant for a registration to provide services using telehealth to residents of this State in order to comply with federal law. Sections 13 and 16 of this bill remove a requirement that an application for a registration include the social security number of the applicant on the date that those federal requirements are repealed, while leaving in place the other requirements of sections 5 and 6 until 2 years after that date. Under existing law: (1) the Board of Medical Examiners licenses allopathic physicians and physician assistants, perfusionists and practitioners of respiratory care; and (2) the State Board of Osteopathic Medicine licenses osteopathic physicians and physician assistants. (Chapters 630 and 633 of NRS) Sections 8 and 9 of this bill require those boards to prescribe electronic application forms for the issuance or renewal of each license issued by those boards. Sections 8 and 9 require those forms to be free of discouraging or threatening language and the form to apply for the issuance of a license to include a statement welcoming the applicant to this State. Section 14 of this bill requires those boards to review the application forms prescribed by those boards for compliance with sections 8 and 9 and submit to the Legislature a report concerning those reviews. Sections 8 and 9 also require those boards to annually submit to the Legislature a report of the actual cost of issuing each license issued by those boards during the previous calendar year. Existing law requires the Commissioner of Insurance to prescribe and make available on the Internet a form letter that a health carrier is required to use to notify a provider of health care of the denial of his or her application to be included in the network of providers of the health carrier. (NRS 679B.124) Section 12 of this bill additionally requires the Commissioner to prescribe and make available on the Internet a form on which a physician may apply to be included in the network of providers of any health carrier that provides coverage to residents of this State.

Most Recent History Action

From printer. To committee.

(See full list below)

Upcoming Hearings

None scheduled

Past Hearings

Senate Health and Human Services Mar 25, 2021 3:30 PM Agenda Minutes not yet available Heard, No Action

Final Passage Votes

None recorded

Conference Committees

None scheduled

Bill Text

As Introduced

Bill History

Date	Action	Journal
Mar 22, 2021	Read first time. Referred to Committee on Health and Human Services. To printer.	Assembly: Not discussed Senate: <u>Journal</u>
Mar 24, 2021	From printer. To committee.	Assembly: Not discussed Senate: Not discussed

SB335

[HOME](#) / [BILLS AND RESOLUTIONS](#) / [SENATE BILLS](#) / SB335

Summary Revises provisions relating to professional and occupational licensing. (BDR 54-186)

Introduction Date Monday, March 22, 2021

Fiscal Notes Effect on Local Government: No.

Effect on the State: Yes.

Primary Sponsor

Senator Joseph Hardy

Title

AN ACT relating to professional licensing; creating the Division of Occupational Licensing within the Department of Business and Industry; creating the position of Administrator of the Division; setting forth the powers and duties of the Division and the Administrator; creating the Occupational Licensing Account; requiring each board that regulates a provider of health care to comply with certain requirements relating to the creation, retention and public disclosure of records; requiring 5 percent of the fees received by each such board to be deposited in the Occupational Licensing Account; abolishing certain boards that regulate certain professions and occupations; transferring the powers and duties of such boards to the Division; revising the membership of the Board of Medical Examiners and the State Board of Osteopathic Medicine; and providing other matters properly relating thereto.

Digest

Existing law provides for the regulation of certain occupations and professions in this State by various boards and commissions created for that purpose. (Title 54 of NRS) Sections 7 and 306 of this bill create the Division of Occupational Licensing within the Department of Business and Industry. Sections 7 and 307 of this bill create the position of Administrator of the Division and require the Director of the Department to appoint the Administrator. Section 8 of this bill authorizes the Administrator to appoint deputy administrators and other employees as necessary. Section 9 of this bill authorizes the Administrator to appoint any advisory boards the Administrator determines are necessary to carry out his or her duties. Section 9 generally authorizes the Administrator to determine the number of members of such an advisory board and the qualifications of the members. However, if an advisory board is called upon to provide advice to the Administrator or perform any other duties relating to the regulation of a profession or occupation regulated by the Division, section 9 requires at least one member of the advisory board to hold a license to engage in that profession or occupation. Section 10 of this bill authorizes the Division to take certain actions with respect to the issuance of licenses to persons engaged in professions or occupations regulated by the Division. Section 11 of this bill authorizes the Division to take certain actions with respect to disciplinary action against such licensees. Section 12 of this bill authorizes the Division to conduct a review of any board that regulates an occupation or profession under existing law to determine whether the board should be abolished and its powers and duties transferred to the Division. Section 13 of this bill authorizes the Division to develop and make recommendations to the Legislature regarding the abolishment of any such board and regarding certain other matters. Section 14 of this bill creates the Occupational Licensing Account and requires the money in the Account to be expended only for the purposes of carrying out the duties of the Division. Section 16 of this bill authorizes the Administrator to adopt certain regulations. Sections 3-6 of this bill define words and terms for the purposes of sections 2-16 of this bill. Existing law requires a regulatory body to follow certain procedures in taking disciplinary action against a licensee. (Chapter 622A of NRS) Section 17 of this bill exempts the Division from such requirements. Existing law creates the: (1) Nevada Board of Homeopathic Medical Examiners; (2) Board of Dental Examiners of Nevada; (2) State Board of Oriental Medicine; (3) Board of Athletic Trainers; (4) Board of Massage Therapy; and (5) State Barbers' Health and Sanitation Board. (Chapters 630A, 631, 634A, 640B, 640C and 643 of NRS) Sections 26-144, 154-176, 192-253, 262-301 and 314 of this bill abolish those boards and transfer the powers and duties relating to the regulation of the professions and occupations regulated by those boards to the Division of Occupational Licensing. Sections 18-21, 305 and 308-310 of this bill make conforming changes to the account for the abolishment of those boards and the transfer of their powers and duties to the Division. Section 312 of this bill provides that any person who, on December 31, 2021, is a member of a board abolished under the provisions of this bill is deemed to be a member of an advisory board appointed by the Administrator pursuant to section 9 on January 1, 2022. Existing law creates various boards to regulate providers of health care. (Chapters 630, 630A, 631, 632, 633, 634, 634A, 635, 636, 637, 637B, 639, 640, 640A, 640B, 640C, 641, 641A, 641B and 641C of NRS) Section 15 of this bill requires the Division to adopt regulations establishing: (1) certain requirements for the creation, retention and public disclosure of records of those boards which have not been abolished pursuant to the provisions of this bill; and (2) penalties for such a board that fails to comply with such requirements. Sections 22, 145, 147, 152, 177, 179, 181, 183, 185, 188, 190, 254, 256, 258 and 260 of this bill require each such board to comply with: (1) all applicable provisions of existing law governing public records and meetings of public bodies; and (2) any

requirements concerning the creation, retention and public disclosure of records of the activities of the board established by regulation of the Division. Sections 25, 146, 150, 153, 178, 180, 182, 184, 186, 189, 191, 255, 257, 259 and 261 of this bill require 5 percent of the fees received by each such board to be deposited in the Occupational Licensing Account. Existing law creates the Board of Medical Examiners, consisting of nine members appointed by the Governor. (NRS 630.050) Sections 23 and 24 of this bill add a member to the Board who is required to be a licensed physician assistant. Existing law creates the State Board of Osteopathic Medicine, consisting of seven members appointed by the Governor. (NRS 633.181) Sections 148 and 149 of this bill add a member to the Board who is required to be a licensed physician assistant.

Most Recent History Action

From printer. To committee.

(See full list below)

Upcoming Hearings

None scheduled

Past Hearings

Senate Commerce and Labor Apr 01, 2021 8:00 AM Agenda Minutes not yet available Heard, No Action

Final Passage Votes

None recorded

Conference Committees

None scheduled

Bill Text

As Introduced

Bill History

Date	Action	Journal
Mar 22, 2021	Read first time. Referred to Committee on Commerce and Labor. To printer.	Assembly: Not discussed Senate: <u>Journal</u>
Mar 24, 2021	From printer. To committee.	Assembly: Not discussed Senate: Not discussed

SB379

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Summary	Provides for the collection of certain data concerning providers of health care. (BDR 40-457)
Introduction Date	Friday, March 26, 2021
Fiscal Notes	Effect on Local Government: No. Effect on the State: Yes.
Primary Sponsor	<u>Senate Committee on Health and Human Services</u>
Title	AN ACT relating to health care; requiring the Director of the Department of Health and Human Services to establish and maintain a database comprised of information concerning providers of health care who are licensed, certified or registered in this State; requiring or authorizing certain professional licensing boards and agencies that license, certify or register providers of health care to collect information from applicants for the renewal of a license, certificate or registration; establishing the Health Care Workforce Working Group within the Department to analyze the information in the database and perform certain related duties; and providing other matters properly relating thereto.
Digest	Existing law provides that the Department of Health and Human Services is the agency of the State of Nevada for health planning and development. (NRS 439A.081) Section 5 of this bill requires the Director of the Department to establish and maintain a database comprised of information collected from certain applicants for the renewal of a license, certificate or registration as a provider of health care. Section 5 requires that information to include certain demographic information and certain information about the applicant's practice. Sections 12, 14-16, 24, 30, 32 and 33 of this bill require licensing boards that license, certify or register certain providers of health care to request such information from each applicant for the renewal of a license, certification or registration. Sections 9, 13, 17-20, 22, 23, 25-29, 35 and 36 of this bill authorize other licensing boards and governmental agencies that license or certify providers of health care to request such information from applicants for the renewal of a license or certificate. Sections 9, 12-20, 22-30 and 32-36 of this bill provide that an applicant from whom data is requested is not required to respond to the request. Sections 9, 12-20, 22-30 and 32-36 require a board or agency that requests information from applicants for the renewal of a license, certificate or registration to submit the information to the Director for inclusion in the database. Sections 9, 12-20, 22-30 and 32-36 additionally prohibit a licensing board or agency from using the information provided by an applicant for the renewal of a license, certificate or registration when determining whether to renew the license, certificate or registration. Sections 11, 21, 31 and 34 of this bill make conforming changes. Section 6 of this bill requires the Director to establish the Health Care Workforce Working Group. Section 7 of this bill prescribes the duties of the Working Group, which include: (1) analyzing the information contained in the database; and (2) making recommendations to professional licensing boards, the Legislature and certain state agencies concerning ways in which to attract more providers of health care to this State and improve health outcomes and public health. Section 5 of this bill requires the Director to annually publish data from the database that does not contain information that could be used to identify a provider of health care. Section 5 also: (1) requires the Director provide such data to the Working Group; and (2) authorizes the Working Group to disclose or publish that data under certain circumstances. Sections 5, 9-20, 22-30 and 32-36 of this bill provide that information collected for submission to the database from providers of health care is otherwise confidential. Section 8 of this bill authorizes the Director to enter into contracts, apply for and accept gifts, grants and donations and adopt regulations to carry out the duties prescribed by this bill.

Most Recent History Action

From printer. To committee.

(See full list below)

Upcoming Hearings

None scheduled

Past Hearings

Final Passage Votes

None recorded

Conference Committees

None scheduled

Bill Text

As Introduced

Bill History

Date	Action	Journal
Mar 26, 2021	Read first time. Referred to Committee on Health and Human Services. To printer.	Assembly: Not discussed Senate: <u>Journal</u>
Mar 29, 2021	From printer. To committee.	Assembly: Not discussed Senate: Not discussed

SB391

[HOME](#) / [BILLS AND RESOLUTIONS](#) / [SENATE BILLS](#) / SB391

Summary Revises provisions relating to dentistry. (BDR 40-455)

Introduction Date Friday, March 26, 2021

Fiscal Notes Effect on Local Government: No.

Effect on the State: Yes.

Primary Sponsor Senate Committee on Health and Human Services

Title AN ACT relating to dentistry; requiring hospitals and issuers of Medicaid managed care plans to take certain measures to ensure access by recipients of Medicaid to teledentistry; authorizing the issuance of a permit as a dental responder to a dentist, dental hygienist or dental therapist who meets certain requirements; authorizing a dental responder to perform certain duties during a declared emergency, disaster, public health emergency or other health event; creating and prescribing the duties of the Committee on Dental Emergency Management; revising the membership of the Committee on Emergency Medical Services; requiring a public or private school or child care facility to accept a dental examination, screening or assessment provided through teledentistry for certain purposes; requiring dental hygienists and dental therapists to comply with certain requirements governing the provision of health care; imposing certain requirements relating to the provision of services through teledentistry; requiring certain providers of dental care to receive training concerning teledentistry; prescribing certain requirements relating to the electronic storage of records; deeming certain conduct by a provider of dental care to be unprofessional conduct; imposing certain requirements concerning the use of prepaid charges and premiums by an organization for dental care; requiring an organization for dental care to report certain financial information; and providing other matters properly relating thereto.

Digest Existing law authorizes the Governor to proclaim a state of emergency, declare a disaster or issue an executive order proclaiming a public health emergency or other health event in certain circumstances. (NRS 414.070, 439.970) Sections 10-12 of this bill define certain terms. Section 13 of this bill authorizes the Division of Public and Behavioral Health of the Department of Health and Human Services to issue a permit as a dental responder to a dentist, dental hygienist or dental therapist who has received certain training in emergency response. Section 13 authorizes a dental responder to provide emergency medical care, immunizations, medical care in mobile clinics and humanitarian care during a state of emergency, declaration of disaster, public health emergency or other health event. Section 14 of this bill creates the Committee on Dental Emergency Management within the Division. Section 15 of this bill prescribes certain requirements concerning the operations of the Committee. Sections 15 and 18 of this bill exempt meetings of the Committee held during a state of emergency, declaration of disaster, public health emergency or other health event from requirements that meetings of a public body must be open and public. Section 16 of this bill prescribes the duties of the Committee, which relate to emergency management and the practice of professions that provide dental care. Existing law creates the Committee on Emergency Medical Services, which advises the Division on certain matters relating to emergency management and encourages the training and education of emergency medical service personnel. (NRS 450B.151, 450B.153) Section 17 of this bill requires the State Board of Health to appoint one dental responder to the Committee. Existing law defines the term "provider of health care" as a person who practices any of certain professions related to the provision of health care. (NRS 629.031) Existing law imposes certain requirements upon providers of health care, including requirements for billing, standards for advertisements and criminal penalties for acquiring certain debts. (NRS 629.071, 629.076, 629.078) Section 22 of this bill includes dental hygienists and dental therapists in the definition of "provider of health care," thereby subjecting dental hygienists and dental therapists to those requirements. Existing law defines the term "telehealth" to mean the delivery of services from a provider of health care to a patient at a different location through the use of information and audio-visual communication technology, not including standard telephone, facsimile or electronic mail. (NRS 629.515) Section 26 of this bill defines the term "teledentistry" to mean the use of telehealth by a dentist, dental hygienist or dental therapist to facilitate the diagnosis, treatment, education, care management and self-management of or consultation with a patient. Sections 24, 25 and 27 of this bill define certain other terms related to teledentistry. Section 36 of this bill makes a conforming change to indicate the placement of sections 24-27 in the Nevada Revised Statutes. Section 28 of this bill requires a person who provides services through teledentistry to a patient located in this State to be: (1) licensed in this State as a dentist or dental therapist; or (2) licensed in this State as a dental hygienist and hold a special endorsement to practice public health dental hygiene. Section 28 also requires a dentist, dental hygienist or dental therapist providing services through teledentistry to adhere to the applicable laws, regulations and standards of care to the same extent as when providing services in person. Section 29 of this bill requires a dentist, dental hygienist or dental therapist who provides services through teledentistry to be insured against liabilities arising from services provided through teledentistry. Section 30 of this bill

authorizes the use of teledentistry for certain purposes relating to the provision of dental services and treatment. Section 31 of this bill requires a dentist, dental hygienist or dental therapist to establish a bona fide practitioner-patient relationship, confirm certain facts about a patient and obtain informed consent before providing services through teledentistry. Section 32 of this bill requires a dentist, dental hygienist or dental therapist to: (1) use communications technology that complies with certain federal requirements concerning the privacy of information relating to patients when providing services through teledentistry; and (2) create a complete record of each encounter with a patient through teledentistry. Section 33 of this bill imposes certain requirements to ensure that adequate, in-person care is available to a patient who receives services through teledentistry if needed. Section 34 of this bill requires the Board of Dental Examiners of Nevada to adopt regulations governing teledentistry. Sections 37, 39 and 47 of this bill require an applicant for a license to practice dentistry or dental therapy or a special endorsement to practice public health dental hygiene or the holder of such a license or endorsement to complete certain training concerning teledentistry. Section 38 of this bill makes a conforming change. Section 40 of this bill requires the Board to adopt regulations prescribing specific criteria for the accreditation of a course in teledentistry. Section 35 of this bill prescribes certain requirements concerning the secure electronic storage of information concerning patients. Section 41 of this bill provides that it is unprofessional conduct for a dentist, dental hygienist or dental therapist to: (1) fail to actively involve a patient in decisions concerning his or her treatment; or (2) require a patient to enter into an agreement that restricts the ability of the patient to submit a complaint to the Board. Sections 1, 42 and 45 of this bill require hospitals and issuers of Medicaid managed care plans to take certain measures to improve the access of recipients of Medicaid to teledentistry. Sections 2-8 of this bill make conforming changes to indicate the proper placement of section 1 in the Nevada Revised Statutes and provide for the enforcement of the requirements of section 1. Sections 19-21 of this bill require a public school, private school or child care facility that requires a dental examination, screening or assessment of a child as a condition of admission to accept a dental examination, screening or assessment provided through teledentistry that meets certain criteria for that purpose. Existing law prohibits an organization for dental care from using more than 25 percent of its prepaid charges or premiums for marketing or administrative expenses. (NRS 695D.240) Section 43 of this bill prohibits an organization for dental care from retaining more than a total of 25 percent of its prepaid charges or premiums as profits or for use as marketing or administrative expenses. Section 43 also requires an organization for dental care to report certain financial information to the Commissioner of Insurance and requires the Commissioner to post the reports on the Internet. Section 44 of this bill prescribes certain procedural requirements concerning an examination by the Commissioner for the purpose of verifying the information included in such a report.

Most Recent History Action

From printer. To committee.

(See full list below)

Upcoming Hearings

None scheduled

Past Hearings

[Senate Health and Human Services](#)

[Apr 01, 2021](#)

[3:30 PM](#)

[Agenda](#)

Minutes not yet available

Heard, No Action

Final Passage Votes

None recorded

Conference Committees

None scheduled

Bill Text

Bill History

Date	Action	Journal
Mar 26, 2021	Read first time. Referred to Committee on Health and Human Services. To printer.	Assembly: Not discussed Senate: <u>Journal</u>
Mar 29, 2021	From printer. To committee.	Assembly: Not discussed Senate: Not discussed