

Proposed Changes to NRS433A for the Northern Nevada Behavioral Health Policy Board's Bill Draft
Request (BDR)

- 1) NRS433A.115: "Person with mental illness" has been changed to "Person in a mental health crisis." *This reduces stigma by referring to all persons with mental illness as a danger of harm to self or others and clarifies that civil commitment proceedings should only apply to an individual experiencing a crisis.*
- 2) Multiple timeframes in NRS433A.145, NRS433A.150, & NRS4331.165 have been standardized to be 72 hours from the initial time of the person in a mental health crisis being detained. *This removes confusion from the process of having to keep track of multiple 'clocks' depending on how an individual entered the system.*
- 3) Standardized terms have been added to NRS433A.200 for the involuntary court-ordered admission process. *By standardizing the terminology and clarifying that an emergency mental health hold cannot be extended in any way other than by filing a petition with the district court, this eliminates confusion for providers on how an individual on a legal hold transitions to the court-ordered involuntary process.*
- 4) Added "a behavioral health transportation agency certified by the Division" to the list of entities in NRS433A.160 (1)(a)(2), who may transport a patient.
- 5) Added specific language to NRS433A.190 stating that "confidential medical or mental health information about an individual may be disclosed for treatment purposes during the provision of emergency services and care, as defined in NRS 433A or 433B between a physician and surgeon, licensed psychologist, social worker with a master's degree in social work, licensed marriage and family therapist, licensed professional clinical counselor, nurse, emergency medical personnel at the scene of an emergency or in an emergency medical transport vehicle, or other professional person or emergency medical personnel at a health facility defined by NRS 449.029." *This reduces the barriers to treatment and incorrect interpretations of HIPAA which have been used to delay patient transfers and treatment.*
- 6) a. Changed the term "Emergency Admission" in NRS433A.120 to "Emergency Mental Health Hold". *This reduces stigma.*
b. Added definitions for the following terms: Hospital, Person, Age of Majority, Accredited Agent of the Department, Voluntary Admission, Emergency Mental Health Hold, Involuntary Court-ordered Admission, Application, Examination, Certificate for Emergency Mental Health Hold, Petition, and Mental Health. *Provides for a clear and legal interpretation of the terms the chapter uses.*
c. Clarified language to refer to all Dept. of Health & Human Services (DHHS) (DPBH/DCFS) facilities as "Division Mental Health Facilities." *Provides for clear distinctions between State facilities and all others.*
- 7) Added a "Patient's Bill of Rights" requirement to NRS433A.350.
- 8) Added provisions to define the certification process for becoming a behavioral health transport agency, the process for what constitutes medical clearance, and the establishment of a "Patient's Bill of Rights" to NRS433A.165, requiring the Division to promulgate regulations.