

Steve Sisolak
Governor



Richard Whitley, MS
Director

**DEPARTMENT OF
HEALTH AND HUMAN SERVICES**
DIVISION OF PUBLIC AND BEHAVIORAL HEALTH
Helping people. It's who we are and what we do.



Lisa Sherych
Administrator

Ihsan Azzam,
Ph.D., M.D.
Chief Medical Officer

NOTICE OF PUBLIC WORKSHOP

NOTICE IS HEREBY GIVEN that the Division of Public and Behavioral Health will hold a public workshop to consider amendments to Nevada Administrative Code (NAC) 433.

The workshop is scheduled to occur at **10:00 a.m. Friday, August 5, 2022** and can be accessed at the following link:

Microsoft Teams meeting

Join on your computer or mobile app

[Click here to join the meeting](#)

Or call in (audio only)

[+1 775-321-6111,,236416101#](#) United States, Reno

Phone Conference ID: 236 416 101#

[Find a local number](#) | [Reset PIN](#)

Thank you for planning to attend this Teams meeting.

[Learn More](#) | [Meeting options](#)

These workshops will be conducted in accordance with NRS 241.020, Nevada's Open Meeting Law.

AGENDA

- 1. Introduction of workshop process**
- 2. Presentation on proposed amendments to Nevada Administrative Code 433**
- 3. Public comment on proposed amendments to Nevada Administrative Code 433**
- 4. General Public Comment**

The proposed changes will revise Section 10 of LCB File No. R012-20 and are being proposed in accordance with Nevada Revised Statute 433.324.

The proposed regulations provide provisions for the following:

The proposed regulations establish a Regulation relating to mental health; establishing a procedure for determining whether to involuntarily administer psychotropic medication to a patient at a public or private mental health facility; and providing other matters properly relating thereto.

NAC 443 is hereby amended as follows:

Sec. 10. To initiate the procedures set forth in sections 9 to 14, inclusive, of this regulation for the involuntary administration of psychotropic medication to a patient at a public or private mental health facility that has established such procedures, the practitioner who is primarily responsible for treating the patient must submit to the director of the facility a request to involuntarily administer psychotropic medication to the patient. Such a request may be made by the practitioner if:

1. The patient is currently admitted to the public or private mental health facility under ~~an emergency admission pursuant to NRS 433A.150~~ or an involuntary court-ordered admission pursuant to NRS 433A.200;
2. The practitioner:
 - (a) Determines that the patient *presents a substantial likelihood of serious harm to himself or herself or others, as determined pursuant to NRS 433A.0195, or the patient is at serious risk of incurring serious injury or illness resulting from complete neglect of basic needs for food, clothing, shelter or personal safety;* and
 - (b) Explains to the patient the nature of the condition for which the psychotropic medication is necessary, the basis for the diagnosis of the condition, the benefits and risks of using the medication including, without limitation, possible side effects from use, any alternative treatment and the potential outcome if the condition remains untreated;
3. The patient refuses to provide informed written consent to the administration of the psychotropic medication after receiving the explanation described in paragraph (b); and
4. The practitioner documents in the medical record of the patient that the provisions of subsections 1, 2 and 3 were satisfied.

Members of the public may make oral comments at this meeting. Persons wishing to submit written testimony or documentary evidence may submit the material to Janet Ashby, Administrative Assistant IV via email jashby@health.nv.gov or by mailing to the following address:

Division of Public and Behavioral Health
Lake's Crossing Center
500 Galletti Way
Sparks, Nevada 89431
775- 688-6651

Members of the public who require special accommodations or assistance related to the workshops are required to notify Janet Ashby, Administrative Assistant IV, at the above address in writing for the Division of Public and Behavioral Health, or by calling Ms. Ashby, at least five (5) working days prior to the date of the public workshop.

You may contact Joanne Malay, by calling 702-486-8894, for further information on the proposed regulations or how to obtain copies of the supporting documents.

A copy of the regulations and small business impact statement can be found on the Division of Public and Behavioral Health's web page: http://dphh.nv.gov/Programs/Clinical_Services_-_Administrative_Health/

A copy of the public workshop notice can also be found at Nevada Legislature's web page: <https://www.leg.state.nv.us/App/Notice/A/>

Copies may be obtained by mail, or by calling the Division of Public and Behavioral Health at (775) 688-6654.

Per NRS 233B.064(2), upon adoption of any regulations, the agency, if requested to do so by an interested person, either prior to adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption, and incorporate therein its reason for overruling the consideration urged against its adoption.