

ASSEMBLY BILL NO. 442—COMMITTEE  
ON COMMERCE AND LABOR

MARCH 27, 2023

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions relating to persons licensed by certain health care licensing boards. (BDR 54-1055)

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 medical professions; requiring each health care licensing board to take certain actions in response to a complaint alleging that a licensee has committed any act constituting domestic violence or sexual assault; requiring each health care licensing board to adopt regulations setting forth circumstances under which that board is required to summarily suspend, pending a formal hearing, the license of a licensee in response to a complaint or a series of complaints; requiring the Joint Interim Standing Committee on Commerce and Labor to create a working group; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 **Section 1** of this bill requires a health care licensing board to ask a person who  
2 files a complaint alleging that a person licensed by that board committed any act  
3 which, if proven, would constitute domestic violence or sexual assault whether the  
4 complainant wishes to pursue a criminal investigation of the allegation. If so,  
5 **section 1** requires the health care licensing board to take certain actions to notify  
6 and direct the complainant to an appropriate law enforcement agency. **Section 1**  
7 requires each health care licensing board to adopt regulations setting forth  
8 circumstances under which that board, in response to a complaint or series of  
9 complaints, is required to summarily suspend the license of a licensee pending the  
10 conclusion of a hearing to consider a formal complaint against the licensee.

11 **Section 2** of this bill requires: (1) the Joint Interim Standing Committee on  
12 Commerce and Labor to create a working group to study issues relating to the  
13 sharing of information between law enforcement agencies and certain professional  
14 or occupational licensing boards during the 2023-2024 interim; and (2) the working



15 group to study and make recommendations to the Committee regarding policies and  
16 procedures for such sharing of information concerning licensees who are under  
17 investigation for alleged acts which, if proven, would constitute domestic violence  
18 or sexual assault.

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

1 **Section 1.** Chapter 629 of NRS is hereby amended by adding  
2 thereto a new section to read as follows:

3 *1. If a health care licensing board receives a complaint which*  
4 *alleges that a person licensed by that health care licensing board*  
5 *has committed any act which, if proven, would constitute domestic*  
6 *violence pursuant to NRS 33.018 or sexual assault pursuant to*  
7 *NRS 200.366, the health care licensing board must ask the*  
8 *complainant, if the identity of the complainant is known, if*  
9 *the complainant wishes to pursue a criminal investigation of the*  
10 *allegation contained in the complaint. If so, the health care*  
11 *licensing board shall:*

12 *(a) Provide to an appropriate law enforcement agency the*  
13 *information contained in the complaint; and*

14 *(b) Direct the complainant to and, to the best of the ability of*  
15 *the health care licensing board, connect the complainant with, the*  
16 *law enforcement agency to which the health care licensing board*  
17 *provides the information in the complaint pursuant to*  
18 *paragraph (a).*

19 *2. Each health care licensing board shall adopt regulations*  
20 *setting forth circumstances under which that health care licensing*  
21 *board, in response to a complaint filed with the health care*  
22 *licensing board pursuant to subsection 1, is required to summarily*  
23 *suspend the license of a person licensed by that health care*  
24 *licensing board pending the conclusion of a hearing to consider a*  
25 *formal complaint against the licensee. Such regulations may,*  
26 *without limitation, require the health care licensing board to*  
27 *summarily suspend the license of a licensee in response to:*

28 *(a) A complaint alleging that the licensee committed certain*  
29 *acts specified by the health care licensing board;*

30 *(b) A certain number of complaints filed against the licensee*  
31 *over a certain period of time specified by the health care licensing*  
32 *board; or*

33 *(c) Any combination of the circumstances described in*  
34 *paragraphs (a) and (b).*

35 *3. As used in this section, "health care licensing board" has*  
36 *the meaning ascribed to it in NRS 629.079.*



1     **Sec. 2.** 1. The Joint Interim Standing Committee on  
2 Commerce and Labor shall, during the 2023-2024 legislative  
3 interim, create a working group to study issues relating to the  
4 sharing of information between law enforcement agencies and  
5 certain professional or occupational licensing boards during the  
6 2023-2024 interim.

7     2. The Chair of the Joint Interim Standing Committee on  
8 Commerce and Labor shall determine the appropriate number of  
9 members of the working group created pursuant to subsection 1 and  
10 appoint the members of the working group. The members must  
11 consist of representatives of:

- 12     (a) Law enforcement;
- 13     (b) The Board of Medical Examiners;
- 14     (c) The State Board of Osteopathic Medicine;
- 15     (d) The State Board of Nursing; and
- 16     (e) Any other board that:
  - 17         (1) The Chair of the Committee deems to be appropriate; and
  - 18         (2) Is a health care licensing board or any other professional  
19 or occupational licensing board which regulates a profession that  
20 requires a licensee to, in the regular course of providing professional  
21 services, make physical contact with persons receiving the  
22 professional services.

23     3. The working group created pursuant to subsection 1 shall  
24 study and make recommendations to the Joint Interim Standing  
25 Committee on Commerce and Labor regarding policies and  
26 procedures for the sharing of information between law enforcement  
27 agencies and professional or occupational licensing boards  
28 concerning licensees who are under investigation for alleged acts  
29 which, if proven, would constitute domestic violence pursuant to  
30 NRS 33.018 or sexual assault pursuant to NRS 200.366.

31     4. As used in this section, "health care licensing board" has the  
32 meaning ascribed to it in NRS 629.079.

33     **Sec. 3.** 1. This section becomes effective upon passage and  
34 approval.

- 35     2. Sections 1 and 2 of this act become effective:
  - 36         (a) Upon passage and approval for the purpose of adopting any  
37 regulations and performing any other preparatory administrative  
38 tasks that are necessary to carry out the provisions of this act; and
  - 39         (b) On July 1, 2023, for all other purposes.

