

**PROPOSED REGULATION OF THE
STATE BOARD OF NURSING**

LCB File No. R105-15

October 20, 2015

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

AUTHORITY: §§1 and 2, NRS 632.120, as amended by section 4.2 of Senate Bill No. 7, chapter 496, Statutes of Nevada 2015, at page 2994.

A REGULATION relating to mental health; setting forth the training and experience necessary for an advanced practice registered nurse to be authorized by the State Board of Nursing to complete certain certificates concerning the mental condition of certain persons; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law authorizes certain persons to file: (1) an application for the emergency admission of a person alleged to be a person with mental illness to a mental health facility or hospital; and (2) a petition for the involuntary court-ordered admission of a person alleged to be a person with mental illness to a mental health facility or to a program of community-based or outpatient services. (NRS 433A.160 and 433A.200, as amended by sections 1.5 and 4 of Senate Bill No. 7, chapter 496, Statutes of Nevada 2015, at pages 2990 and 2993)

With certain exceptions, existing law requires an application for the emergency admission of a person alleged to be a person with a mental illness and a petition for the involuntary court-ordered admission of a person to a mental health facility or to a program of community-based or outpatient services to be accompanied by a certificate stating that the person has a mental illness and, because of that mental illness, is likely to harm himself or herself or others if not admitted to such a facility or program. The certificate may be obtained from a licensed psychologist, physician, physician assistant under the supervision of a psychiatrist, a clinical social worker with certain psychiatric training and experience, an advanced practice registered nurse with certain psychiatric training and experience or an accredited agent of the Department of Health and Human Services who has examined the person and made that determination. (NRS 433A.170 and 433A.200, as amended by sections 1.7 and 4 of Senate Bill No. 7, chapter 496, Statutes of Nevada 2015, at pages 2991 and 2993)

Existing law authorizes a licensed physician on the medical staff of a mental health facility or hospital to release a person alleged to be a person with mental illness who has been admitted on an emergency basis upon the completion of a certificate by a licensed physician on the medical staff of the facility or hospital, a physician assistant under the supervision of a psychiatrist, a psychologist, a clinical social worker with certain psychiatric training and experience, an advanced practice registered nurse with certain psychiatric training and experience or an accredited agent of the Department of Health and Human Services who has examined the person and concluded that the person is not a person with a mental illness. (NRS 433A.195, as amended by section 2 of Senate Bill No. 7, chapter 496, Statutes of Nevada 2015, at page 2992)

Existing law requires the State Board of Nursing to adopt regulations prescribing the psychiatric training and experience necessary before an advanced practice registered nurse may complete any of the certificates previously described. (NRS 632.120, as amended by section 4.2 of Senate Bill No. 7, chapter 496, Statutes of Nevada 2015, at page 2994) This regulation sets forth the training and experience necessary for an advanced practice registered nurse to be qualified to complete such certificates.

Section 1. Chapter 632 of NAC is hereby amended by adding thereto a new section to read as follows:

An advanced practice registered nurse is authorized to make the certifications described in NRS 433A.170, 433A.195 and 433A.200, as amended by sections 1.7, 2 and 4 of Senate Bill No. 7, chapter 496, Statutes of Nevada 2015, at pages 2991, 2992 and 2993, if the advanced practice registered nurse has:

- 1. Been issued a license by the Board to practice as an advanced practice registered nurse with a population of focus in mental health;*
- 2. Been issued a license by the Board to practice as an advanced practice registered nurse in a role as a clinical nurse specialist with an area of clinical specialty in psychiatric and mental health nursing; or*

3. Completed postgraduate education that has been approved by the Board or has completed additional nursing preparation in which the advanced practice registered nurse gained knowledge, judgment and skills specifically related to psychiatric and mental health nursing that the Board determines is substantially equivalent to the knowledge, judgment and skills of an advanced practice registered nurse who has the qualifications set forth in subsection 1 or 2.

Sec. 2. NAC 632.254 is hereby amended to read as follows:

632.254 As used in NAC 632.254 to 632.295, inclusive, *and section 1 of this regulation*, unless the context otherwise requires, the words and terms defined in NAC 632.2543 and 632.2547 have the meanings ascribed to them in those sections.