

ASSEMBLY BILL NO. 221—ASSEMBLYMEMBER EDGEWORTH

PREFILED FEBRUARY 3, 2025

Referred to Committee on Health and Human Services

SUMMARY—Exempts certain offices of physicians and other health care facilities from certain permitting requirements relating to anesthesia and sedation. (BDR 40-672)

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 ~~fornitted material~~ is material to be omitted.

AN ACT relating to health care; exempting certain offices of physicians or other health care facilities that administer anesthesia or sedation to dental patients from certain requirements to obtain a permit to provide anesthesia or sedation; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law requires an office of a physician and certain other facilities  
2 providing health care to obtain a permit from the Division of Public and Behavioral  
3 Health of the Department of Health and Human Services before offering general  
4 anesthesia, conscious sedation or deep sedation. (NRS 449.442) Existing law also  
5 requires a dentist to obtain a permit from the Board of Dental Examiners before  
6 offering general anesthesia, minimal sedation, moderate sedation or deep sedation.  
7 (NRS 631.265) Existing law defines “minimal sedation” and “moderate sedation”  
8 to encompass the types of sedation which constitute conscious sedation. (NRS  
9 449.436, 631.078, 631.079) Consequently, existing law requires a person who  
10 holds both a license as a physician and a license as a dentist to obtain two permits  
11 to offer general anesthesia, conscious sedation or deep sedation. (NRS 449.441,  
12 631.265)

13 This bill exempts an office of a physician or a facility that provides health care,  
14 other than a medical facility, from the requirement to obtain a permit from the  
15 Division if the office only administers general anesthesia, deep sedation or  
16 conscious sedation to dental patients and the administration is performed by a  
17 physician who: (1) is also licensed to practice dentistry; (2) holds a permit issued  
18 by the Board to administer general anesthesia, minimal sedation, moderate sedation  
19 or deep sedation to dental patients; and (3) administers general anesthesia or  
20 sedation of any type only within the scope of that permit. This bill thereby



21 eliminates the requirement that a person who is licensed as both a physician and a  
22 dentist obtain two permits to offer general anesthesia, conscious sedation or deep  
23 sedation.

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

1 **Section 1.** NRS 449.441 is hereby amended to read as follows:

2 449.441 The provisions of NRS 449.435 to 449.448, inclusive,  
3 do not apply to an office of a physician or a facility that provides  
4 health care, other than a medical facility, if the office of a physician  
5 or the facility only administers ~~the~~ :

6 1. A medication to a patient to relieve the patient's anxiety or  
7 pain and if the medication is not given in a dosage that is sufficient  
8 to induce in a patient a controlled state of depressed consciousness  
9 or unconsciousness similar to general anesthesia, deep sedation or  
10 conscious sedation.

11 2. *General anesthesia, conscious sedation or deep sedation to*  
12 *dental patients and the administration is performed by a physician*  
13 *who:*

14 (a) *Is also licensed to practice dentistry pursuant to chapter*  
15 *631 of NRS;*

16 (b) *Holds a permit issued pursuant to NRS 631.265 to*  
17 *administer general anesthesia, minimal sedation, moderate*  
18 *sedation or deep sedation to dental patients; and*

19 (c) *Administers general anesthesia or sedation of any type only*  
20 *within the scope of the permit described in paragraph (b).*

21 **Sec. 2.** NRS 630.373 is hereby amended to read as follows:

22 630.373 1. A physician shall not administer or supervise  
23 directly the administration of general anesthesia, conscious sedation  
24 or deep sedation to patients unless the general anesthesia, conscious  
25 sedation or deep sedation is administered:

26 (a) In an office of a physician or osteopathic physician which  
27 ~~holds~~ :

28 (1) *Holds* a permit pursuant to NRS 449.435 to 449.448,  
29 *inclusive; or*

30 (2) *Is exempt from the provisions of NRS 449.435 to*  
31 *449.448, inclusive, pursuant to NRS 449.441;*

32 (b) In a facility which ~~holds~~ :

33 (1) *Holds* a permit pursuant to NRS 449.435 to 449.448,  
34 *inclusive; or*

35 (2) *Is exempt from the provisions of NRS 449.435 to*  
36 *449.448, inclusive, pursuant to NRS 449.441;*

37 (c) In a medical facility as that term is defined in NRS  
38 449.0151; or



1 (d) Outside of this State.

2 2. As used in this section:

3 (a) "Conscious sedation" has the meaning ascribed to it in  
4 NRS 449.436.

5 (b) "Deep sedation" has the meaning ascribed to it in  
6 NRS 449.437.

7 (c) "General anesthesia" has the meaning ascribed to it in  
8 NRS 449.438.

9 **Sec. 3.** NRS 633.694 is hereby amended to read as follows:

10 633.694 1. An osteopathic physician shall not administer or  
11 supervise directly the administration of general anesthesia,  
12 conscious sedation or deep sedation to patients unless the general  
13 anesthesia, conscious sedation or deep sedation is administered:

14 (a) In an office of a physician or osteopathic physician which  
15 ~~holds~~:

16 (1) *Holds* a permit pursuant to NRS 449.435 to 449.448,  
17 inclusive; *or*

18 (2) *Is exempt from the provisions of NRS 449.435 to*  
19 *449.448, inclusive, pursuant to NRS 449.441;*

20 (b) In a facility which ~~holds~~:

21 (1) *Holds* a permit pursuant to NRS 449.435 to 449.448,  
22 inclusive; *or*

23 (2) *Is exempt from the provisions of NRS 449.435 to*  
24 *449.448, inclusive, pursuant to NRS 449.441;*

25 (c) In a medical facility as that term is defined in NRS  
26 449.0151; or

27 (d) Outside of this State.

28 2. As used in this section:

29 (a) "Conscious sedation" has the meaning ascribed to it in  
30 NRS 449.436.

31 (b) "Deep sedation" has the meaning ascribed to it in  
32 NRS 449.437.

33 (c) "General anesthesia" has the meaning ascribed to it in  
34 NRS 449.438.



