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ASSEMBLY BILL NO. 28—COMMITTEE ON  
HEALTH AND HUMAN SERVICES

(ON BEHALF OF THE NEVADA SILVER  
HAired LEGISLATIVE FORUM)

PREFILED DECEMBER 20, 2014

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Referred to Committee on Health and Human Services

SUMMARY—Revises the duties of the State Long-Term Care  
Ombudsman. (BDR 38-415)

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.

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AN ACT relating to long-term care; requiring the State Long-Term  
Care Ombudsman to develop certain training to be made  
available to officers, directors and employees of a facility  
for long-term care; requiring the Ombudsman to provide  
certain training to advocates who assist the Ombudsman  
in providing services to the residents of a facility; and  
providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law defines the term “facility for long-term care” to include certain  
2 types of facilities that provide long-term care. (NRS 427A.028) Existing law  
3 requires the Administrator of the Aging and Disability Services Division of the  
4 Department of Health and Human Services to appoint the State Long-Term Care  
5 Ombudsman to advocate for the protection of the health, safety, welfare and rights  
6 of residents of facilities for long-term care. (NRS 427A.125) This bill requires the  
7 Ombudsman to develop a course of training to be made available to officers,  
8 directors and employees of a facility for long-term care that encourages such  
9 facilities to allow their residents to follow their own routine and make their own  
10 decisions concerning the daily activities in which to participate.

11 Existing law authorizes the Administrator to appoint one or more advocates to  
12 assist the Ombudsman. (NRS 427A.127) Existing law requires the Ombudsman,  
13 under the direction of the Administrator, to provide certain training to such  
14 advocates. (NRS 427A.125) This bill requires such training to include training to  
15 assist facilities for long-term care to provide services in a manner that allows the



16 residents of such facilities to follow their own routine and make their own decisions  
17 concerning the daily activities in which to participate.

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

1     **Section 1.** NRS 427A.125 is hereby amended to read as  
2 follows:

3     427A.125 1. The Office of the State Long-Term Care  
4 Ombudsman is hereby created within the Division.

5     2. The Administrator shall appoint the State Long-Term Care  
6 Ombudsman to advocate for the protection of the health, safety,  
7 welfare and rights of residents of facilities for long-term care. The  
8 Ombudsman is in the classified service of the State. The  
9 Ombudsman shall, under direction of the Administrator:

10     (a) Train advocates to:

11         (1) Receive, investigate and attempt to resolve complaints  
12 made by or on behalf of residents of facilities for long-term care.

13         (2) Investigate acts, practices, policies or procedures of any  
14 facility for long-term care or any governmental agency which relates  
15 to such care and may adversely affect the health, safety, welfare or  
16 civil rights of residents of such facilities, and report the results of the  
17 investigations to the Ombudsman and the Administrator.

18         (3) Record and analyze information and complaints about  
19 facilities for long-term care to identify problems affecting their  
20 residents.

21         (4) Provide for the support and development of resident and  
22 family councils to protect the well-being and rights of residents of  
23 facilities for long-term care.

24         (5) *Assist facilities for long-term care to provide services to*  
25 *residents in the manner set forth in paragraph (b).*

26     (b) *Develop a course of training to be made available to*  
27 *officers, directors and employees of a facility for long-term care to*  
28 *encourage such facilities to provide services to their residents in a*  
29 *manner that allows the residents to follow their own routine and*  
30 *make their own decisions concerning the daily activities in which*  
31 *to participate. The course must also provide information*  
32 *concerning how to provide services in that manner.*

33     (c) Coordinate services within the Department which may affect  
34 residents and prospective residents of facilities for long-term care to  
35 ensure that such services are made available to eligible persons.

36     ~~(e)~~ (d) Recommend and review policies, legislation and  
37 regulations, both in effect and proposed, which affect facilities for  
38 long-term care.



1 ~~[(d)]~~ (e) Upon request, advise and assist the Governor, the  
2 Legislature and public and private groups in formulating and putting  
3 into effect policies which affect facilities for long-term care and  
4 their residents.

5 ~~[(e)]~~ (f) Provide information to interested persons and to the  
6 general public concerning the functions and activities of the  
7 Ombudsman.

8 ~~[(f)]~~ (g) Report annually to the Administrator.

9 **Sec. 2.** This act becomes effective on July 1, 2015.

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