

1 in sections 4 to 10, inclusive, of this act have the meanings
2 ascribed to them in those sections.

3 Sec. 4. "Attending physician" means the physician who has
4 primary responsibility for the treatment of a terminal condition
5 from which a patient suffers.

6 Sec. 5. "Competent" means that a person has the ability to
7 make, communicate and understand the nature of decisions
8 concerning his or her health care.

9 Sec. 6. "Consulting physician" means a physician to whom a
10 patient is referred pursuant to subsection 5 of section 14 of this act
11 for confirmation of the diagnosis and prognosis of the patient and
12 that the patient is competent.

13 Sec. 7. "Division" means the Division of Public and
14 Behavioral Health of the Department of Health and Human
15 Services.

16 Sec. 8. "Health care facility" means any facility licensed
17 pursuant to chapter 449 of NRS.

18 Sec. 9. "Prescription" means an order given individually for
19 the person for whom prescribed, directly from the attending
20 physician to a pharmacist or indirectly by means of an order
21 signed by the attending physician or an electronic transmission
22 from the attending physician to a pharmacist.

23 Sec. 10. "Terminal condition" means an incurable and
24 irreversible condition that cannot be cured or modified by any
25 known current medical therapy or treatment and which will, in the
26 opinion of the attending physician, result in death within 6
27 months.

28 Sec. 10.5. The Legislature hereby finds and declares that:

29 1. Patients with terminal conditions who have suffered
30 prolonged and unbearable pain as well as the loss of physical
31 control at the end of their lives deserve the right to a peaceful and
32 dignified death.

33 2. Adults diagnosed to be within 6 months of death and of
34 sound mental health, as determined by at least two physicians,
35 should be allowed to request and receive medication that may be
36 self-administered by the patient to peacefully end his or her life.

37 3. Other states that have enacted laws that allow patients with
38 terminal conditions to choose a dignified death have found
39 improvements in palliative and hospice care, including that nearly
40 all of such patients participate in hospice care, and that such
41 patients are able to die at home surrounded by loved ones and
42 friends.

43 4. The provisions of sections 3 to 26, inclusive, of this act are
44 intended to provide the safeguards, procedures, written
45 requirements and reporting functions to allow a safe framework



* S B 2 6 1 R 1 *

1 WHEREAS, It is necessary to promote awareness and discussion
2 of health care issues in preparation for decisions concerning the end
3 of the life of a person; and

4 WHEREAS, A person should have the right to self-determination
5 concerning medically assisted, informed, voluntary decisions about
6 dying with dignity and avoiding unnecessary suffering; and

7 WHEREAS, A person who suffers from a terminal condition
8 should have the right to determine whether to fight for his or her life
9 using all reasonable care until life's end, to enroll in hospice care, to
10 seek palliative care, to ingest a drug to end his or her life or to take
11 any combination of those actions; now, therefore,

12 THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
13 SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:
14

15
16 ~~Section 1.~~ NRS 440.380 is hereby amended to read as follows:
17 440.380 1. ~~{The}~~ *Except as otherwise provided in subsection*
18 *3, the* medical certificate of death must be signed by the physician,
19 if any, last in attendance on the deceased, or pursuant to regulations
20 adopted by the Board, it may be signed by the attending physician's
21 associate physician, the chief medical officer of the hospital or
22 institution in which the death occurred, or the pathologist who
23 performed an autopsy upon the deceased. The person who signs the
24 medical certificate of death shall specify:

- 25 (a) The social security number of the deceased.
- 26 (b) The hour and day on which the death occurred.
- 27 (c) The cause of death, so as to show the cause of disease or
28 sequence of causes resulting in death, giving first the primary cause
29 of death or the name of the disease causing death, and the
30 contributory or secondary cause, if any, and the duration of each.

31 2. In deaths in hospitals or institutions, or of nonresidents, the
32 physician shall furnish the information required under this section,
33 and may state where, in the physician's opinion, the disease was
34 contracted.

35 3. *The medical certificate of death of a patient who dies after*
36 *self-administering a controlled substance that is designed to end*
37 *the life of the patient in accordance with the provisions of sections*
38 *3 to 26, inclusive, of this act must be signed by the attending*
39 *physician who shall specify the terminal condition with which the*
40 *patient was diagnosed as the cause of death of the patient.*

41 Sec. 2. Chapter 453 of NRS is hereby amended by adding
42 thereto the provisions set forth as sections 3 to 26, inclusive of this
43 act.

44 Sec. 3. *As used in sections 3 to 26, inclusive, of this act,*
45 *unless the context otherwise requires, the words and terms defined*



1 (c) The number of deaths in this State resulting from the
2 administration of a controlled substance that is designed to end
3 the life of a patient per 10,000 deaths in this State;

4 (d) The number of physicians who prescribed a controlled
5 substance that is designed to end the life of a patient;

6 (e) Demographic information for each patient whose death
7 was the result of self-administering a controlled substance that is
8 designed to end the life of the patient, including the age of the
9 patient at death, his or her level of education, race and sex, the
10 type of insurance under which the patient was covered, if any, and
11 the terminal condition from which the patient suffered; and

12 (f) The name of each such controlled substance prescribed to
13 end the life of each such patient and the frequency with which
14 each such controlled substance was prescribed for that purpose.

15 2. On or before February 1 of each year:

16 (a) Make the report compiled pursuant to subsection 1 publicly
17 available on the Internet website maintained by the Division; and

18 (b) Submit the report to the Director of the Legislative Counsel
19 Bureau for transmittal to the Legislative Committee on Health
20 Care, if the report is submitted in an even-numbered year, or to
21 the next session of the Legislature, if the report is submitted in an
22 odd-numbered year.

23 Sec. 21. 1. A physician is not subject to professional
24 discipline, does not violate any applicable standard of care and is
25 not subject to civil or criminal liability solely because the
26 physician takes any action in good faith to comply with sections 3
27 to 26, inclusive, of this act.

28 2. A psychiatrist or psychologist who examines a patient
29 pursuant to section 15 of this act is not subject to professional
30 discipline, does not violate any applicable standard of care and is
31 not subject to civil or criminal liability solely because he or she
32 concludes and reports to the attending physician that the patient is
33 competent or not competent.

34 3. A registered pharmacist is not subject to professional
35 discipline, does not violate any applicable standard of care and is
36 not subject to civil or criminal liability solely because the
37 pharmacist dispenses a controlled substance that is designed to
38 end the life of a patient in good faith to comply with section 16 of
39 this act.

40 Sec. 22. 1. Death resulting from a patient self-
41 administering a controlled substance that is designed to end his or
42 her life in accordance with the provisions of sections 3 to 26,
43 inclusive, of this act does not constitute suicide or homicide.

44 2. Any report or other document produced by this State, any
45 political subdivision of this State or any agency, board,



1 *commission, department, officer, employee or agent of this State*
2 *must refer to a request for, acquisition of, prescription of,*
3 *dispensation of and self-administration of a controlled substance*
4 *that is designed to end the life of a patient as a request for,*
5 *acquisition of, prescription of, dispensation of and self-*
6 *administration, as applicable, of a controlled substance that is*
7 *designed to end the life of a patient.*

8 *Sec. 23. 1. A person shall not prevent or require a patient*
9 *to make or revoke a request for a controlled substance that is*
10 *designed to end the life of the patient as a condition of receiving*
11 *health care.*

12 *2. Any provision in any contract or agreement entered into on*
13 *or after the effective date of this act, whether written or oral, that*
14 *would affect the right of a patient to take any action in accordance*
15 *with the provisions of sections 3 to 26, inclusive, of this act is*
16 *unenforceable and void.*

17 *Sec. 24. 1. It is unlawful for any person to:*

18 *(a) Alter or forge a request for a controlled substance that is*
19 *designed to end the life of another person with the intent of*
20 *causing the death of the person;*

21 *(b) Coerce or exert undue influence on a person to:*

22 *(1) Request a controlled substance that is designed to end*
23 *the life of the person;*

24 *(2) Refrain from revoking a request for a controlled*
25 *substance that is designed to end the life of the person pursuant to*
26 *section 18 of this act; or*

27 *(3) Self-administer a controlled substance designed to end*
28 *the life of the person; or*

29 *(c) Willfully conceal, cancel, deface, obliterate or withhold*
30 *personal knowledge of the revocation by a person of a request for*
31 *a controlled substance that is designed to end the life of the*
32 *person.*

33 *2. Any person who violates this section is guilty of a category*
34 *A felony and shall be punished by imprisonment in the state*
35 *prison:*

36 *(a) For life with the possibility of parole, with eligibility for*
37 *parole beginning when a minimum of 5 years has been served; or*

38 *(b) For a definite term of 15 years, with eligibility for parole*
39 *beginning when a minimum of 5 years has been served.*

40 *Sec. 25. The provisions of sections 3 to 26, inclusive, of this*
41 *act do not:*

42 *1. Require an attending physician to prescribe a controlled*
43 *substance that is designed to end the life of a patient or require a*
44 *pharmacist to fill a prescription for or dispense such a controlled*
45 *substance;*



1 for removal of a person who is serving in any capacity under the
2 will, including, without limitation, as a personal representative,
3 guardian or trustee.

4 2. *Any provision in a will executed on or after the effective*
5 *date of this act that conditions a devise on any person requesting*
6 *or failing to request a controlled substance designed to end his or*
7 *her life, revoking such a request or self-administering such a*
8 *controlled substance in accordance with the provisions of sections*
9 *3 to 26, inclusive, of this act is unenforceable and void.*

10 **Sec. 30.** NRS 159.054 is hereby amended to read as follows:

11 159.054 1. If the court finds the proposed ward competent
12 and not in need of a guardian, the court shall dismiss the petition.

13 2. If the court finds the proposed ward to be of limited capacity
14 and in need of a special guardian, the court shall enter an order
15 accordingly and specify the powers and duties of the special
16 guardian.

17 3. If the court finds that appointment of a general guardian is
18 required, the court shall appoint a general guardian of the ward's
19 person, estate, or person and estate.

20 4. *A proposed ward shall not be deemed to be in need of a*
21 *general or special guardian based solely upon a request by the*
22 *proposed ward for a controlled substance that is designed to end*
23 *his or her life or the revocation of such a request if made in*
24 *accordance with the provisions of sections 3 to 26, inclusive, of*
25 *this act.*

26 **Sec. 31.** NRS 239.010 is hereby amended to read as follows:

27 239.010 1. Except as otherwise provided in this section and
28 NRS 1.4683, 1.4687, 1A.110, 41.071, 49.095, 62D.420, 62D.440,
29 62E.516, 62E.620, 62H.025, 62H.030, 62H.170, 62H.220, 62H.320,
30 75A.100, 75A.150, 76.160, 78.152, 80.113, 81.850, 82.183, 86.246,
31 86.54615, 87.515, 87.5413, 87A.200, 87A.580, 87A.640, 88.3355,
32 88.5927, 88.6067, 88A.345, 88A.7345, 89.045, 89.251, 90.730,
33 91.160, 116.757, 116A.270, 116B.880, 118B.026, 119.260,
34 119.265, 119.267, 119.280, 119A.280, 119A.653, 119B.370,
35 119B.382, 120A.690, 125.130, 125B.140, 126.141, 126.161,
36 126.163, 126.730, 127.007, 127.057, 127.130, 127.140, 127.2817,
37 130.312, 130.712, 136.050, 159.044, 172.075, 172.245, 176.015,
38 176.0625, 176.09129, 176.156, 176A.630, 178.39801, 178.4715,
39 178.5691, 179.495, 179A.070, 179A.165, 179A.450, 179D.160,
40 200.3771, 200.3772, 200.5095, 200.604, 202.3662, 205.4651,
41 209.392, 209.3925, 209.419, 209.521, 211A.140, 213.010, 213.040,
42 213.095, 213.131, 217.105, 217.110, 217.464, 217.475, 218A.350,
43 218E.625, 218F.150, 218G.130, 218G.240, 218G.350, 228.270,
44 228.450, 228.495, 228.570, 231.069, 231.1473, 233.190, 237.300,
45 239.0105, 239.0113, 239B.030, 239B.040, 239B.050, 239C.140,



1 (1) For the investigation of an alleged crime reported by an
2 employee of the pharmacy where the crime was committed; or

3 (2) To carry out a search warrant or subpoena issued
4 pursuant to a court order; or

5 (k) A county coroner, medical examiner or investigator
6 employed by an office of a county coroner for the purpose of:

- 7 (1) Identifying a deceased person;
8 (2) Determining a cause of death; or
9 (3) Performing other duties authorized by law.

10 2. Any copy of a prescription for a controlled substance or a
11 dangerous drug as defined in chapter 454 of NRS that is issued to a
12 county coroner, medical examiner or investigator employed by an
13 office of a county coroner must be limited to a copy of the
14 prescription filled or on file for:

15 (a) The person whose name is on the container of the controlled
16 substance or dangerous drug that is found on or near the body of a
17 deceased person; or

18 (b) The deceased person whose cause of death is being
19 determined.

20 3. Except as otherwise provided in NRS 639.2357, any copy of
21 a prescription for a controlled substance or a dangerous drug as
22 defined in chapter 454 of NRS, issued to a person authorized by this
23 section to receive such a copy, must contain all of the information
24 appearing on the original prescription and be clearly marked on its
25 face "Copy, Not Refillable—For Reference Purposes Only." The
26 copy must bear the name or initials of the registered pharmacist who
27 prepared the copy.

28 4. If a copy of a prescription for any controlled substance or a
29 dangerous drug as defined in chapter 454 of NRS is furnished to the
30 customer, the original prescription must be voided and notations
31 made thereon showing the date and the name of the person to whom
32 the copy was furnished.

33 5. As used in this section, "peace officer" does not include:

34 (a) A member of the Police Department of the Nevada System
35 of Higher Education.

36 (b) A school police officer who is appointed or employed
37 pursuant to NRS 391.281.

38 **Sec. 36.** Chapter 688A of NRS is hereby amended by adding
39 thereto a new section to read as follows:

40 *An insurer shall not:*

41 *1. Deny a claim under a policy of life insurance or annuity*
42 *contract, cancel a policy of life insurance or annuity contract or*
43 *impose an additional charge on a policyholder or beneficiary*
44 *solely because the insured has, in accordance with the provisions*
45 *of sections 3 to 26, inclusive, of this act, requested a controlled*



1 *substance designed to end the life of the insured, revoked such a*
2 *request or self-administered such a controlled substance.*

3 *2. Refuse to sell, provide or issue a policy of life insurance or*
4 *annuity contract that covers a person or charge a higher rate to*
5 *cover a person solely because the person has, in accordance with*
6 *the provisions of sections 3 to 26, inclusive, of this act, requested a*
7 *controlled substance designed to end the life of the person or*
8 *revoked such a request.*

9 **Sec. 37.** Chapter 688B of NRS is hereby amended by adding
10 thereto a new section to read as follows:

11 *An insurer shall not:*

12 *1. Deny a claim under a policy of group life insurance,*
13 *cancel a policy of group life insurance or impose an additional*
14 *charge on a policyholder or beneficiary solely because the insured*
15 *has, in accordance with the provisions of sections 3 to 26,*
16 *inclusive, of this act, requested a controlled substance designed to*
17 *end the life of the insured, revoked such a request or self-*
18 *administered such a controlled substance.*

19 *2. Refuse to sell, provide or issue a policy of group life*
20 *insurance that covers a person or charge a higher rate to cover a*
21 *person solely because the person has, in accordance with the*
22 *provisions of sections 3 to 26, inclusive, of this act, requested a*
23 *controlled substance designed to end the life of the person or*
24 *revoked such a request.*

25 **Sec. 38.** NRS 688B.040 is hereby amended to read as follows:

26 688B.040 No policy of group life insurance shall be delivered
27 in this State unless it contains in substance the provisions set forth in
28 NRS 688B.040 to 688B.150, inclusive, **and section 37 of this act** or
29 provisions which in the opinion of the Commissioner are more
30 favorable to the persons insured, or at least as favorable to the
31 persons insured and more favorable to the policyholder; except:

32 1. NRS 688B.100 to 688B.140, inclusive, **and section 37 of**
33 **this act** do not apply to policies issued to a creditor to insure debtors
34 of such creditor;

35 2. The standard provisions required for individual life
36 insurance policies do not apply to group life insurance policies; and

37 3. If the group life insurance policy is on a plan of insurance
38 other than the term plan, it shall contain a nonforfeiture provision or
39 provisions which in the opinion of the Commissioner is or are
40 equitable to the insured persons and to the policyholder; but nothing
41 in this subsection shall be construed to require that group life
42 insurance policies contain the same nonforfeiture provisions as are
43 required for individual life insurance policies.

44 **Sec. 39.** (Deleted by amendment.)

45 **Sec. 40.** (Deleted by amendment.)





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ac·cord·ance
 /əˈkɔrdns/

noun
 noun: accordance

in a manner conforming with.
 "the product is disposed of in accordance with federal regulations"
 synonyms: in agreement with, in conformity with, in line with, true to, in the spirit of, observing, following, heeding
 "a ballot held in accordance with union rules"

Origin

| | | | |
|---|--------------------------------|--------------------------|-------------------------------------|
| OLD FRENCH acorder bring to an agreement | OLD FRENCH acordance | ENGLISH accord | accordance Middle English |
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Middle English: from Old French *acordance*, from *acorder* 'bring to an agreement' (see *accord*).

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in (or in the) spirit

phrase of spirit

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