
ASSEMBLY BILL NO. 267—ASSEMBLYMEN TORRES; D’SILVA,
DURAN, GONZÁLEZ, BRITTNEY MILLER AND NGUYEN

MARCH 7, 2023

JOINT SPONSORS: SENATORS DONATE, FLORES; AND NGUYEN

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions governing cultural competency training. (BDR 40-820)

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 healthcare; revising provisions relating to the requirement that certain medical facilities conduct training of agents and employees in cultural competency; requiring the Office of Minority Health and Equity of the Department of Health and Human Services to establish, maintain and distribute a list of courses and programs relating to cultural competency that certain medical facilities are required to use to conduct training of certain agents and employees; increasing the number of hours of instruction relating to cultural competency that certain health care professionals are required to complete; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law provides that the State Board of Health shall require, by
2 regulation, a medical facility, facility for the dependent and certain other facilities
3 to conduct training relating specifically to cultural competency for any agent or
4 employee of the facility so that such an agent or employee may better understand
5 patients or residents who have different cultural backgrounds, including, without
6 limitation, patients or residents who are: (1) from various racial and ethnic
7 backgrounds; (2) from various religious backgrounds; (3) persons with various
8 sexual orientations and gender identities or expressions; (4) children and senior
9 citizens; (5) persons with a mental or physical disability; and (6) part of any other
10 population that such an agent or employee may need to better understand. Such
11 training relating to cultural competency must be provided through a course or



12 program that is approved by the Department of Health and Human Services. (NRS
 13 449.103) **Section 1** of this bill: (1) requires the Board to set forth by regulation the
 14 frequency with which such a facility is required to conduct the training relating to
 15 cultural competency; and (2) creates an exception to the requirement to provide
 16 such training if an agent or employee of the facility has successfully completed a
 17 course or program of cultural competency as part of the continuing education
 18 requirements for the agent or employee to renew his or her professional license,
 19 registration or certificate, as applicable. **Section 1** further requires the Office of
 20 Minority Health and Equity of the Department of Health and Human Services to:
 21 (1) establish and maintain a list of courses and programs on cultural competency
 22 that are approved for training relating to cultural competency; (2) make the most
 23 current list available on the Internet website of the Office; and (3) ensure that the
 24 list is distributed to each facility required to conduct the training on cultural
 25 competency. Finally, **section 1**: (1) authorizes a facility to apply to the Department
 26 to provide a course or program on cultural competency that is not already approved
 27 by the Department; and (2) requires the Department to report annually to certain
 28 joint interim committees of the Legislature the average length of time within which
 29 the Department approved a course or program of training in the immediately
 30 preceding year.

31 Existing law requires, as a prerequisite for the renewal of a license, a nurse,
 32 psychologist, marriage and family therapist, clinical professional counselor, social
 33 worker or behavior analyst to complete at least 2 hours of instruction relating to
 34 cultural competency and diversity, equity and inclusion. (NRS 632.343, 641.220,
 35 641A.260, 641B.280, 641D.360) Existing law requires, as a prerequisite for the
 36 renewal of a license or certificate, an alcohol and drug counselor or problem
 37 gambling counselor to complete at least 1 hour of instruction relating to cultural
 38 competency and diversity, equity and inclusion. (NRS 641C.450) **Section 3** of this
 39 bill requires a nurse to complete at least 4 hours of such instruction. **Sections 5-7**
 40 of this bill require a psychologist, marriage and family therapist, clinical professional
 41 counselor or social worker to complete at least 6 hours of instruction relating to
 42 cultural competency and diversity, equity and inclusion. **Section 8** of this bill
 43 requires an alcohol and drug counselor or problem gambling counselor to complete
 44 at least 3 hours of instruction relating to cultural competency and diversity, equity
 45 and inclusion. **Section 9** of this bill requires a behavior analyst to complete at least
 46 6 hours of instruction relating to cultural competency and diversity, equity and
 47 inclusion.

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

1 **Section 1.** NRS 449.103 is hereby amended to read as follows:
 2 449.103 1. ~~¶~~ *Except as otherwise provided in subsection*
 3 *2, to* enable an agent or employee of a medical facility, facility for
 4 the dependent or facility which is otherwise required by regulations
 5 adopted by the Board pursuant to NRS 449.0303 to be licensed who
 6 provides care to a patient or resident of the facility to more
 7 effectively treat patients or care for residents, as applicable, the
 8 Board shall, by regulation, require such a facility to conduct training
 9 relating specifically to cultural competency for any agent or
 10 employee of the facility who provides care to a patient or resident of
 11 the facility so that such an agent or employee may better understand



1 patients or residents who have different cultural backgrounds,
2 including, without limitation, patients or residents who are:

- 3 (a) From various racial and ethnic backgrounds;
- 4 (b) From various religious backgrounds;
- 5 (c) Persons with various sexual orientations and gender
6 identities or expressions;
- 7 (d) Children and senior citizens;
- 8 (e) Persons with a mental or physical disability; and
- 9 (f) Part of any other population that such an agent or employee
10 may need to better understand, as determined by the Board.

11 *↳ The Board shall set forth by regulation the frequency with
12 which a medical facility, facility for the dependent or other facility
13 is required to provide such training relating to cultural
14 competency.*

15 2. ~~[The]~~ *A medical facility, facility for the dependent or other
16 facility is not required to provide training relating specifically to
17 cultural competency to an agent or employee who has successfully
18 completed a course or program in cultural competency as part of
19 the continuing education requirements for the agent or employee
20 to renew his or her professional license, registration or certificate,
21 as applicable.*

22 3. *Except as otherwise provided in subsection 5, the training
23 relating specifically to cultural competency conducted by a medical
24 facility, facility for the dependent or facility which is otherwise
25 required by regulations adopted by the Board pursuant to NRS
26 449.0303 to be licensed pursuant to subsection 1 must be provided
27 through a course or program that is approved by the Department of
28 Health and Human Services.*

29 4. *The Office of Minority Health and Equity of the
30 Department of Health and Human Services shall:*

31 (a) *Establish and maintain a list of the courses and programs
32 that are approved for training relating to cultural competency
33 pursuant to subsection 3. The Office shall make the most current
34 list available on the Internet website of the Office.*

35 (b) *Ensure that the list established and maintained pursuant to
36 paragraph (a) is distributed to each medical facility, facility for the
37 dependent or other facility which is required to conduct training
38 relating specifically to cultural competency pursuant to
39 subsection 1.*

40 5. *A medical facility, facility for the dependent or other
41 facility which is required to conduct training specifically relating
42 to cultural competency may apply to the Department of Health and
43 Human Services to provide a course or program on cultural
44 competency that is not approved by the Department pursuant to
45 subsection 3. Any such request must be approved or denied by the*



1 *Department not later than 10 business days after the receipt of the*
2 *application.*

3 *6. On or before October 1 of each year, the Department of*
4 *Health and Human Services shall report the average length of*
5 *time within which the Department approved a course of program*
6 *or training relating to cultural competency in the immediately*
7 *preceding year pursuant to subsection 3 or 5, as applicable, to the*
8 *Director of the Legislative Counsel Bureau for transmittal to the*
9 *Joint Interim Standing Committee on Health and Human Services*
10 *and the Joint Interim Standing Committee on Commerce and*
11 *Labor.*

12 **Sec. 2.** (Deleted by amendment.)

13 **Sec. 3.** NRS 632.343 is hereby amended to read as follows:

14 632.343 1. The Board shall not renew any license issued
15 under this chapter until the licensee has submitted proof satisfactory
16 to the Board of completion, during the 2-year period before renewal
17 of the license, of 30 hours in a program of continuing education
18 approved by the Board in accordance with regulations adopted by
19 the Board. Except as otherwise provided in subsection 3, the
20 licensee is exempt from this provision for the first biennial period
21 after graduation from:

22 (a) An accredited school of professional nursing;

23 (b) An accredited school of practical nursing;

24 (c) An approved school of professional nursing in the process of
25 obtaining accreditation; or

26 (d) An approved school of practical nursing in the process of
27 obtaining accreditation.

28 2. The Board shall review all courses offered to nurses for the
29 completion of the requirement set forth in subsection 1. The Board
30 may approve nursing and other courses which are directly related to
31 the practice of nursing as well as others which bear a reasonable
32 relationship to current developments in the field of nursing or any
33 special area of practice in which a licensee engages. These may
34 include academic studies, workshops, extension studies, home study
35 and other courses.

36 3. The program of continuing education required by subsection
37 1 must include:

38 (a) For a person licensed as an advanced practice registered
39 nurse:

40 (1) A course of instruction to be completed within 2 years
41 after initial licensure that provides at least 2 hours of instruction on
42 suicide prevention and awareness as described in subsection 6.

43 (2) The ability to receive credit toward the total amount of
44 continuing education required by subsection 1 for the completion of



1 a course of instruction relating to genetic counseling and genetic
2 testing.

3 (b) For each person licensed pursuant to this chapter, a course of
4 instruction, to be completed within 2 years after initial licensure,
5 relating to the medical consequences of an act of terrorism that
6 involves the use of a weapon of mass destruction. The course must
7 provide at least 4 hours of instruction that includes instruction in the
8 following subjects:

9 (1) An overview of acts of terrorism and weapons of mass
10 destruction;

11 (2) Personal protective equipment required for acts of
12 terrorism;

13 (3) Common symptoms and methods of treatment associated
14 with exposure to, or injuries caused by, chemical, biological,
15 radioactive and nuclear agents;

16 (4) Syndromic surveillance and reporting procedures for acts
17 of terrorism that involve biological agents; and

18 (5) An overview of the information available on, and the use
19 of, the Health Alert Network.

20 (c) For each person licensed pursuant to this chapter, one or
21 more courses of instruction that provide at least ~~2~~ 4 hours of
22 instruction relating to cultural competency and diversity, equity and
23 inclusion to be completed biennially. Such instruction:

24 (1) May include the training provided pursuant to NRS
25 449.103, where applicable.

26 (2) Must be based upon a range of research from diverse
27 sources.

28 (3) Must address persons of different cultural backgrounds,
29 including, without limitation:

30 (I) Persons from various gender, racial and ethnic
31 backgrounds;

32 (II) Persons from various religious backgrounds;

33 (III) Lesbian, gay, bisexual, transgender and questioning
34 persons;

35 (IV) Children and senior citizens;

36 (V) Veterans;

37 (VI) Persons with a mental illness;

38 (VII) Persons with an intellectual disability,
39 developmental disability or physical disability; and

40 (VIII) Persons who are part of any other population that a
41 person licensed pursuant to this chapter may need to better
42 understand, as determined by the Board.

43 (d) For a person licensed as an advanced practice registered
44 nurse, at least 2 hours of training in the screening, brief intervention



1 and referral to treatment approach to substance use disorder to be
2 completed within 2 years after initial licensure.

3 4. The Board may determine whether to include in a program
4 of continuing education courses of instruction relating to the
5 medical consequences of an act of terrorism that involves the use of
6 a weapon of mass destruction in addition to the course of instruction
7 required by paragraph (b) of subsection 3.

8 5. The Board shall encourage each licensee who treats or cares
9 for persons who are more than 60 years of age to receive, as a
10 portion of their continuing education, education in geriatrics and
11 gerontology, including such topics as:

12 (a) The skills and knowledge that the licensee needs to address
13 aging issues;

14 (b) Approaches to providing health care to older persons,
15 including both didactic and clinical approaches;

16 (c) The biological, behavioral, social and emotional aspects of
17 the aging process; and

18 (d) The importance of maintenance of function and
19 independence for older persons.

20 6. The Board shall require each person licensed as an advanced
21 practice registered nurse to receive as a portion of his or her
22 continuing education at least 2 hours of instruction every 4 years on
23 evidence-based suicide prevention and awareness or another course
24 of instruction on suicide prevention and awareness that is approved
25 by the Board which the Board has determined to be effective and
26 appropriate.

27 7. The Board shall encourage each person licensed as an
28 advanced practice registered nurse to receive, as a portion of his or
29 her continuing education, training and education in the diagnosis of
30 rare diseases, including, without limitation:

31 (a) Recognizing the symptoms of pediatric cancer; and

32 (b) Interpreting family history to determine whether such
33 symptoms indicate a normal childhood illness or a condition that
34 requires additional examination.

35 8. As used in this section:

36 (a) "Act of terrorism" has the meaning ascribed to it in
37 NRS 202.4415.

38 (b) "Biological agent" has the meaning ascribed to it in
39 NRS 202.442.

40 (c) "Chemical agent" has the meaning ascribed to it in
41 NRS 202.4425.

42 (d) "Radioactive agent" has the meaning ascribed to it in
43 NRS 202.4437.

44 (e) "Weapon of mass destruction" has the meaning ascribed to it
45 in NRS 202.4445.



1 **Sec. 4.** (Deleted by amendment.)

2 **Sec. 5.** NRS 641.220 is hereby amended to read as follows:

3 641.220 1. To renew a license issued pursuant to this chapter,
4 each person must, on or before the first day of January of each odd-
5 numbered year:

6 (a) Apply to the Board for renewal;

7 (b) Pay the biennial fee for the renewal of a license;

8 (c) Submit evidence to the Board of completion of the
9 requirements for continuing education as set forth in regulations
10 adopted by the Board; and

11 (d) Submit all information required to complete the renewal.

12 2. Upon renewing his or her license, a psychologist shall
13 declare his or her areas of competence, as determined in accordance
14 with NRS 641.112.

15 3. The Board shall, as a prerequisite for the renewal of a
16 license, require each holder to comply with the requirements for
17 continuing education adopted by the Board.

18 4. The requirements for continuing education adopted by the
19 Board pursuant to subsection 3 must include, without limitation:

20 (a) A requirement that the holder of a license receive at least 2
21 hours of instruction on evidence-based suicide prevention and
22 awareness or another course of instruction on suicide prevention and
23 awareness that is approved by the Board which the Board has
24 determined to be effective and appropriate. The hours of instruction
25 required by this paragraph must be completed within 2 years after
26 initial licensure and at least every 4 years thereafter.

27 (b) A requirement that the holder of a license must biennially
28 receive at least ~~2~~ 6 hours of instruction relating to cultural
29 competency and diversity, equity and inclusion. Such instruction:

30 (1) May include the training provided pursuant to NRS
31 449.103, where applicable.

32 (2) Must be based upon a range of research from diverse
33 sources.

34 (3) Must address persons of different cultural backgrounds,
35 including, without limitation:

36 (I) Persons from various gender, racial and ethnic
37 backgrounds;

38 (II) Persons from various religious backgrounds;

39 (III) Lesbian, gay, bisexual, transgender and questioning
40 persons;

41 (IV) Children and senior citizens;

42 (V) Veterans;

43 (VI) Persons with a mental illness;

44 (VII) Persons with an intellectual disability,
45 developmental disability or physical disability; and



1 (VIII) Persons who are part of any other population that
2 the holder of a license may need to better understand, as determined
3 by the Board.

4 **Sec. 6.** NRS 641A.260 is hereby amended to read as follows:

5 641A.260 1. To renew a license to practice as a marriage and
6 family therapist or clinical professional counselor issued pursuant to
7 this chapter, each person must, on or before 10 business days after
8 the date of expiration of his or her current license:

9 (a) Apply to the Board for renewal;

10 (b) Pay the fee for the biennial renewal of a license set by the
11 Board;

12 (c) Submit evidence to the Board of completion of the
13 requirements for continuing education as set forth in regulations
14 adopted by the Board, unless the Board has granted a waiver
15 pursuant to NRS 641A.265; and

16 (d) Submit all information required to complete the renewal.

17 2. Except as otherwise provided in NRS 641A.265, the Board
18 shall, as a prerequisite for the renewal of a license to practice as a
19 marriage and family therapist or clinical professional counselor,
20 require each holder to comply with the requirements for continuing
21 education adopted by the Board, which must include, without
22 limitation:

23 (a) A requirement that the holder receive at least 2 hours of
24 instruction on evidence-based suicide prevention and awareness or
25 another course of instruction on suicide prevention and awareness
26 that is approved by the Board which the Board has determined to be
27 effective and appropriate.

28 (b) A requirement that the holder receive at least ~~2~~ 6 hours of
29 instruction relating to cultural competency and diversity, equity and
30 inclusion. Such instruction:

31 (1) May include the training provided pursuant to NRS
32 449.103, where applicable.

33 (2) Must be based upon a range of research from diverse
34 sources.

35 (3) Must address persons of different cultural backgrounds,
36 including, without limitation:

37 (I) Persons from various gender, racial and ethnic
38 backgrounds;

39 (II) Persons from various religious backgrounds;

40 (III) Lesbian, gay, bisexual, transgender and questioning
41 persons;

42 (IV) Children and senior citizens;

43 (V) Veterans;

44 (VI) Persons with a mental illness;



1 (VII) Persons with an intellectual disability,
2 developmental disability or physical disability; and

3 (VIII) Persons who are part of any other population that a
4 marriage and family therapist or clinical professional counselor may
5 need to better understand, as determined by the Board.

6 **Sec. 7.** NRS 641B.280 is hereby amended to read as follows:

7 641B.280 1. Every holder of a license issued pursuant to this
8 chapter may renew his or her license annually by:

9 (a) Applying to the Board for renewal;

10 (b) Paying the annual renewal fee set by the Board;

11 (c) Except as otherwise provided in NRS 641B.295, submitting
12 evidence to the Board of completion of the required continuing
13 education as set forth in regulations adopted by the Board; and

14 (d) Submitting all information required to complete the renewal.

15 2. Except as otherwise provided in NRS 641B.295, the Board
16 shall, as a prerequisite for the renewal of a license, require the
17 holder to comply with the requirements for continuing education
18 adopted by the Board, which must include, without limitation:

19 (a) A requirement that every 2 years the holder receive at least 2
20 hours of instruction on evidence-based suicide prevention and
21 awareness or another course of instruction on suicide prevention and
22 awareness that is approved by the Board which the Board has
23 determined to be effective and appropriate.

24 (b) A requirement that every 2 years the holder receive at least
25 ~~24~~ 6 hours of instruction relating to cultural competency and
26 diversity, equity and inclusion. Such instruction:

27 (1) May include the training provided pursuant to NRS
28 449.103, where applicable.

29 (2) Must be based upon a range of research from diverse
30 sources.

31 (3) Must address persons of different cultural backgrounds,
32 including, without limitation:

33 (I) Persons from various gender, racial and ethnic
34 backgrounds;

35 (II) Persons from various religious backgrounds;

36 (III) Lesbian, gay, bisexual, transgender and questioning
37 persons;

38 (IV) Children and senior citizens;

39 (V) Veterans;

40 (VI) Persons with a mental illness;

41 (VII) Persons with an intellectual disability,
42 developmental disability or physical disability; and

43 (VIII) Persons who are part of any other population that
44 the holder of a license issued pursuant to this chapter may need to
45 better understand, as determined by the Board.



1 **Sec. 8.** NRS 641C.450 is hereby amended to read as follows:
2 641C.450 Except as otherwise provided in NRS 641C.310,
3 641C.320, 641C.440 and 641C.530, a person may renew his or her
4 license or certificate by submitting to the Board:

5 1. An application for the renewal of the license or certificate.

6 2. The fee for the renewal of a license or certificate prescribed
7 in NRS 641C.470.

8 3. Evidence of completion of the continuing education required
9 by the Board, which must include, without limitation:

10 (a) A requirement that the applicant receive at least 1 hour of
11 instruction on evidence-based suicide prevention and awareness or
12 another course of instruction on suicide prevention and awareness
13 that is approved by the Board which the Board has determined to be
14 effective and appropriate for each year of the term of the applicant's
15 licensure or certification.

16 (b) A requirement that the applicant receive at least ~~[1-hour]~~ **3**
17 **hours** of instruction relating to cultural competency and diversity,
18 equity and inclusion for each year of the term of the applicant's
19 licensure or certification. Such instruction:

20 (1) May include the training provided pursuant to NRS
21 449.103, where applicable.

22 (2) Must be based upon a range of research from diverse
23 sources.

24 (3) Must address persons of different cultural backgrounds,
25 including, without limitation:

26 (I) Persons from various gender, racial and ethnic
27 backgrounds;

28 (II) Persons from various religious backgrounds;

29 (III) Lesbian, gay, bisexual, transgender and questioning
30 persons;

31 (IV) Children and senior citizens;

32 (V) Veterans;

33 (VI) Persons with a mental illness;

34 (VII) Persons with an intellectual disability,
35 developmental disability or physical disability; and

36 (VIII) Persons who are part of any other population that
37 the holder of a license or certificate may need to better understand,
38 as determined by the Board.

39 4. If the applicant is a certified intern, the name of the licensed
40 or certified counselor who supervises the applicant.

41 5. All information required to complete the renewal.

42 **Sec. 9.** NRS 641D.360 is hereby amended to read as follows:

43 641D.360 1. To renew a license as a behavior analyst or
44 assistant behavior analyst or registration as a registered behavior



1 technician, each person must, on or before the first day of January of
2 each odd-numbered year:

3 (a) Apply to the Board for renewal;

4 (b) Pay the biennial fee for the renewal of a license or
5 registration;

6 (c) Submit evidence to the Board:

7 (1) Of completion of the requirements for continuing
8 education as set forth in regulations adopted by the Board, if
9 applicable; and

10 (2) That the person's certification or registration, as
11 applicable, by the Behavior Analyst Certification Board, Inc., or its
12 successor organization, remains valid and the holder remains in
13 good standing; and

14 (d) Submit all information required to complete the renewal.

15 2. In addition to the requirements of subsection 1, to renew
16 registration as a registered behavior technician for the third time and
17 every third renewal thereafter, a person must submit to an
18 investigation of his or her criminal history in the manner prescribed
19 in paragraph (b) of subsection 1 of NRS 641D.300.

20 3. The Board shall adopt regulations that require, as a
21 prerequisite for the renewal of a license as a behavior analyst or
22 assistant behavior analyst, each holder to complete continuing
23 education, which must:

24 (a) Be consistent with nationally recognized standards for the
25 continuing education of behavior analysts or assistant behavior
26 analysts, as applicable.

27 (b) Include, without limitation, a requirement that the holder of a
28 license receive at least 2 hours of instruction on evidence-based
29 suicide prevention and awareness.

30 (c) Include, without limitation, a requirement that the holder of a
31 license as a behavior analyst receive at least ~~2~~ 6 hours of
32 instruction relating to cultural competency and diversity, equity and
33 inclusion. Such instruction:

34 (1) May include the training provided pursuant to NRS
35 449.103, where applicable.

36 (2) Must be based upon a range of research from diverse
37 sources.

38 (3) Must address persons of different cultural backgrounds,
39 including, without limitation:

40 (I) Persons from various gender, racial and ethnic
41 backgrounds;

42 (II) Persons from various religious backgrounds;

43 (III) Lesbian, gay, bisexual, transgender and questioning
44 persons;

45 (IV) Children and senior citizens;



- 1 (V) Veterans;
- 2 (VI) Persons with a mental illness;
- 3 (VII) Persons with an intellectual disability,
- 4 developmental disability or physical disability; and
- 5 (VIII) Persons who are part of any other population that a
- 6 behavior analyst may need to better understand, as determined by
- 7 the Board.

8 4. The Board shall not adopt regulations requiring a registered
9 behavior technician to receive continuing education.

10 **Sec. 9.5.** The provisions of subsection 1 of NRS 218D.380 do
11 not apply to any provision of this act which adds or revises a
12 requirement to submit a report to the Legislature.

13 **Sec. 10.** 1. This section becomes effective upon passage and
14 approval.

15 2. Sections 1 to 9.5, inclusive, of this act become effective:

16 (a) Upon passage and approval for the purpose of adopting any
17 regulations and performing any other preparatory administrative
18 tasks that are necessary to carry out the provisions of this act; and

19 (b) On January 1, 2024, for all other purposes.

