

Amendment No. 115

Assembly Amendment to Assembly Bill No. 155	(BDR 38-610)
Proposed by: Assembly Committee on Health and Human Services	
Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION		Initial and Date		SENATE ACTION		Initial and Date			
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) green bold italic underlining is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) green bold underlining is newly added transitory language.

SRT/RBL



Date: 4/8/2013

A.B. No. 155—Revises provisions governing reports of the abuse or neglect of a child. (BDR 38-610)



ASSEMBLY BILL NO. 155—ASSEMBLYMEN EISEN, FRIERSON; BENITEZ-THOMPSON, CARRILLO, DONDERO LOOP, DUNCAN, FLORES, HEALEY, KIRKPATRICK AND OSCARSON

FEBRUARY 20, 2013

JOINT SPONSORS: SENATORS JONES AND HARDY

Referred to Committee on Health and Human Services

SUMMARY—Revises provisions governing reports of the abuse or neglect of a child. (BDR 38-610)

FISCAL NOTE: Effect on Local Government: Increases or Newly Provides for Term of Imprisonment in County or City Jail or Detention Facility. 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 children; revising provisions governing persons who are required to report the abuse or neglect of a child; revising provisions governing the punishment for the failure of a person to report the abuse or neglect of a child; **revising provisions governing investigations of reports concerning the possible abuse or neglect of a child;** revising provisions relating to the abandonment of a newborn child to a provider of emergency services; requiring the Legislative Committee on Health Care to review certain provisions governing a person who provides a service related to health care; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Under existing law, persons in certain professions and occupations are required, if the
2 person in his or her professional or occupational capacity knows or has reasonable cause to
3 believe that a child has been abused or neglected, to report the abuse or neglect to an agency
4 which provides child welfare services or to a law enforcement agency. (NRS 432B.220)
5 **Section 2** of this bill revises the manner in which those persons are specified in existing law
6 and provides that those persons must be informed in writing or by electronic communication
7 of their duty as mandatory reporters. Those persons must also provide a written
8 acknowledgment or an electronic record of having been so informed. The party responsible
9 for informing the person and maintaining a copy of the acknowledgment or record is: (1) the
10 entity responsible for the licensure, certification or endorsement of the person in this State if
11 such licensure, certification or endorsement is required in the person’s professional or
12 occupational capacity; or (2) the employer of the person if no licensure, certification or
13 endorsement in this State is required. **Section 5** of this bill requires those mandatory reporters
14 currently holding a license, certificate or endorsement in this State to be informed of their duty

15 as mandatory reporters at the next renewal of their license, certificate or endorsement and
 16 requires those current mandatory reporters who are not required to be licensed, certified or
 17 endorsed by this State to be informed of their duty as mandatory reporters by their employer
 18 on or before December 31, 2013.

19 **Section ~~HH~~ 1.5** of this bill requires the Legislative Committee on Health Care to review,
 20 after each regular session of the Nevada Legislature, any chapter added to title 39, 40 or 54 of
 21 NRS that authorizes or requires the issuance of a license, permit or certificate to a person who
 22 provides any service related to health care to determine if the person should be included as a
 23 person required to report the abuse or neglect of a child. **Section ~~HH~~ 1.5** also requires the
 24 Committee, before the next regular session of the Legislature, to prepare and submit to the
 25 Legislature a report concerning the findings of the Committee. The report must include,
 26 without limitation, any recommended legislation.

27 Existing law requires an attorney to report the abuse or neglect of a child unless the
 28 attorney acquired the knowledge of the abuse or neglect from a client who is or may be
 29 accused of the abuse or neglect. (NRS 432B.220) **Section ~~1.2 also~~ 1.7 of this bill** provides that
 30 an attorney is not required to report the abuse or neglect of a child if the attorney acquired the
 31 knowledge of the abuse or neglect from a client ~~who~~ **during a privileged communication if**
 32 **the client: (1) has been or may be accused of committing the abuse or neglect; or (2) is**
 33 **the victim of the abuse or neglect and ~~who~~ is in foster care, except that the attorney may**
 34 **report the abuse or neglect with the consent of the child.**

35 Under existing law, a failure to report the abuse or neglect of a child by a person with a
 36 duty to report the abuse or neglect is punishable as a misdemeanor. (NRS 432B.240) **Section**
 37 **3** of this bill provides that a first violation of the duty to report is punishable as a
 38 misdemeanor, and any subsequent violation is punishable as a gross misdemeanor.

39 **Existing law requires an agency which provides child welfare services to**
 40 **immediately initiate an investigation upon receipt of a report concerning the possible**
 41 **abuse or neglect of a child if the report indicates that: (1) the child is 5 years of age or**
 42 **younger; (2) there is a high risk of serious harm to the child; (3) the child has died; or (4)**
 43 **the child is living in a household in which another child has died, been seriously injured**
 44 **or shows signs of abuse. (NRS 432B.260) Section 3.5 of this bill deletes the requirement**
 45 **for an immediate investigation when the report concerns the possible abuse or neglect of**
 46 **a child who is 5 years of age or younger.**

47 Under existing law, a parent may voluntarily leave a child who is not more than 30 days
 48 old with a provider of emergency services under certain circumstances, thereby presumably
 49 abandoning the child. That law is commonly referred to as Nevada’s “Safe Haven Law.”
 50 (NRS 432B.630) **Section 4** of this bill expands the definition of “provider of emergency
 51 services” to include a volunteer fire department and any ambulance service holding a permit
 52 issued in this State.

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

1 **Section 1.** Chapter 432B of NRS is hereby amended by adding thereto ~~a~~
 2 ~~new section to read as follows:~~ **the provisions set forth as sections 1.5 and 1.7 of**
 3 **this act.**

4 ***Sec. 1.5. The Legislative Committee on Health Care shall:***

5 ***1. After each regular session of the Legislature, review any chapter added***
 6 ***to title 39, 40 or 54 of NRS that authorizes or requires the issuance of a license,***
 7 ***permit or certificate to a person who provides any service related to health care to***
 8 ***determine if the person should be included as a person required to make a report***
 9 ***pursuant to NRS 432B.220; and***

10 ***2. Before the beginning of the next regular session of the Legislature,***
 11 ***prepare a report concerning its findings pursuant to subsection 1 and submit the***
 12 ***report to the Director of the Legislative Counsel Bureau for transmittal to the***

1 *Legislature. The report must include, without limitation, any recommended*
2 *legislation.*

3 Sec. 1.7. 1. Notwithstanding the provisions of NRS 432B.220, an attorney
4 shall not make a report of the abuse or neglect of a child if the attorney acquired
5 knowledge of the abuse or neglect from a client during a privileged
6 communication if the client:

7 (a) Has been or may be accused of committing the abuse or neglect; or

8 (b) Is the victim of the abuse or neglect, is in foster care and did not give
9 consent to the attorney to report the abuse or neglect.

10 2. Nothing in this section shall be construed as relieving an attorney from:

11 (a) Except as otherwise provided in subsection 1, the duty to report the abuse
12 or neglect of a child pursuant to NRS 432B.220; or

13 (b) Complying with any ethical duties of attorneys as set forth in the Nevada
14 Rules of Professional Conduct, including, without limitation, any duty to take
15 reasonably necessary actions to protect the client of the attorney if the client is
16 not capable of making adequately considered decisions because of age, mental
17 impairment or any other reason. Such actions may include, without limitation,
18 consulting with other persons who may take actions to protect the client and,
19 when appropriate, seeking the appointment of a guardian ad litem, conservator
20 or guardian.

21 Sec. 2. NRS 432B.220 is hereby amended to read as follows:

22 432B.220 1. Any person who is described in subsection 4 and who, in his or
23 her professional or occupational capacity, knows or has reasonable cause to believe
24 that a child has been abused or neglected shall:

25 (a) Except as otherwise provided in subsection 2, report the abuse or neglect of
26 the child to an agency which provides child welfare services or to a law
27 enforcement agency; and

28 (b) Make such a report as soon as reasonably practicable but not later than 24
29 hours after the person knows or has reasonable cause to believe that the child has
30 been abused or neglected.

31 2. If a person who is required to make a report pursuant to subsection 1 knows
32 or has reasonable cause to believe that the abuse or neglect of the child involves an
33 act or omission of:

34 (a) A person directly responsible or serving as a volunteer for or an employee
35 of a public or private home, institution or facility where the child is receiving child
36 care outside of the home for a portion of the day, the person shall make the report to
37 a law enforcement agency.

38 (b) An agency which provides child welfare services or a law enforcement
39 agency, the person shall make the report to an agency other than the one alleged to
40 have committed the act or omission, and the investigation of the abuse or neglect of
41 the child must be made by an agency other than the one alleged to have committed
42 the act or omission.

43 3. Any person who is described in paragraph (a) of subsection 4 who delivers
44 or provides medical services to a newborn infant and who, in his or her professional
45 or occupational capacity, knows or has reasonable cause to believe that the
46 newborn infant has been affected by prenatal illegal substance abuse or has
47 withdrawal symptoms resulting from prenatal drug exposure shall, as soon as
48 reasonably practicable but not later than 24 hours after the person knows or has
49 reasonable cause to believe that the newborn infant is so affected or has such
50 symptoms, notify an agency which provides child welfare services of the condition
51 of the infant and refer each person who is responsible for the welfare of the infant
52 to an agency which provides child welfare services for appropriate counseling,
53 training or other services. A notification and referral to an agency which provides

1 child welfare services pursuant to this subsection shall not be construed to require
2 prosecution for any illegal action.

3 4. A report must be made pursuant to subsection 1 by the following persons:

4 (a) ~~physician, dentist, dental hygienist, chiropractor, optometrist, podiatric~~
5 ~~physician, medical examiner, resident, intern, professional or practical nurse,~~
6 ~~physician assistant licensed pursuant to chapter 630 or 633 of NRS, perfusionist,~~
7 ~~psychiatrist, psychologist, marriage and family therapist, clinical professional~~
8 ~~counselor, clinical alcohol and drug abuse counselor, alcohol and drug abuse~~
9 ~~counselor, clinical social worker, music therapist, athletic trainer, advanced~~
10 ~~emergency medical technician or other~~ person providing ~~medical~~ services
11 licensed or certified in this State ~~+~~ *pursuant to, without limitation, chapter 450B,*
12 *630, 630A, 631, 632, 633, 634, 634A, 635, 636, 637, 637A, 637B, 639, 640, 640A,*
13 *640B, 640C, 640D, 640E, 641, 641A, 641B or 641C of NRS.*

14 (b) Any personnel of a ~~hospital or similar institution~~ *medical facility licensed*
15 *pursuant to chapter 449 of NRS who are* engaged in the admission, examination,
16 care or treatment of persons or an administrator, manager or other person in charge
17 of ~~the hospital or similar institution~~ *such a medical facility* upon notification of
18 suspected abuse or neglect of a child by a member of the staff of the ~~hospital~~
19 *medical facility.*

20 (c) A coroner.

21 (d) A member of the clergy, practitioner of Christian Science or religious
22 healer, unless the person has acquired the knowledge of the abuse or neglect from
23 the offender during a confession.

24 (e) A ~~social worker and an administrator, teacher, librarian or counselor of~~
25 *person working in a school* ~~+~~ *who is licensed or endorsed pursuant to chapter*
26 *391 or 641B of NRS.*

27 (f) Any person who maintains or is employed by a facility or establishment that
28 provides care for children, children's camp or other public or private facility,
29 institution or agency furnishing care to a child.

30 (g) Any person licensed *pursuant to chapter 424 of NRS* to conduct a foster
31 home.

32 (h) Any officer or employee of a law enforcement agency or an adult or
33 juvenile probation officer.

34 (i) ~~An~~ *Except as otherwise provided in section 1.7 of this act, an* attorney ~~+~~
35 ~~unless the attorney has acquired the knowledge of the abuse or neglect from a client~~
36 ~~who~~ ~~is~~ ~~+~~

37 ~~(1) Is or may be accused of the abuse or neglect; +~~ ~~fr or~~
38 ~~(2) Is the victim of the abuse or neglect, is in foster care and has not first~~
39 ~~given his or her consent to report the abuse or neglect.~~

40 (j) Any person who maintains, is employed by or serves as a volunteer for an
41 agency or service which advises persons regarding abuse or neglect of a child and
42 refers them to persons and agencies where their requests and needs can be met.

43 (k) Any person who is employed by or serves as a volunteer for a youth shelter.
44 As used in this paragraph, "youth shelter" has the meaning ascribed to it in NRS
45 244.427.

46 (l) Any adult person who is employed by an entity that provides organized
47 activities for children.

48 5. A report may be made by any other person.

49 6. If a person who is required to make a report pursuant to subsection 1 knows
50 or has reasonable cause to believe that a child has died as a result of abuse or
51 neglect, the person shall, as soon as reasonably practicable, report this belief to an
52 agency which provides child welfare services or a law enforcement agency. If such
53 a report is made to a law enforcement agency, the law enforcement agency shall

1 notify an agency which provides child welfare services and the appropriate medical
 2 examiner or coroner of the report. If such a report is made to an agency which
 3 provides child welfare services, the agency which provides child welfare services
 4 shall notify the appropriate medical examiner or coroner of the report. The medical
 5 examiner or coroner who is notified of a report pursuant to this subsection shall
 6 investigate the report and submit his or her written findings to the appropriate
 7 agency which provides child welfare services, the appropriate district attorney and a
 8 law enforcement agency. The written findings must include, if obtainable, the
 9 information required pursuant to the provisions of subsection 2 of NRS 432B.230.

10 **7. The agency, board, bureau, commission, department, division or political**
 11 **subdivision of the State responsible for the licensure, certification or**
 12 **endorsement of a person who is described in subsection 4 and who is required in**
 13 **his or her professional or occupational capacity to be licensed, certified or**
 14 **endorsed in this State shall, at the time of initial licensure, certification or**
 15 **endorsement:**

16 (a) **Inform the person, in writing or by electronic communication, of his or**
 17 **her duty as a mandatory reporter pursuant to this section;**

18 (b) **Obtain a written acknowledgment or electronic record from the person**
 19 **that he or she has been informed of his or her duty pursuant to this section; and**

20 (c) **Maintain a copy of the written acknowledgment or electronic record for**
 21 **as long as the person is licensed, certified or endorsed in this State.**

22 **8. The employer of a person who is described in subsection 4 and who is not**
 23 **required in his or her professional or occupational capacity to be licensed,**
 24 **certified or endorsed in this State must, upon initial employment of the person:**

25 (a) **Inform the person, in writing or by electronic communication, of his or**
 26 **her duty as a mandatory reporter pursuant to this section;**

27 (b) **Obtain a written acknowledgment or electronic record from the person**
 28 **that he or she has been informed of his or her duty pursuant to this section; and**

29 (c) **Maintain a copy of the written acknowledgment or electronic record for**
 30 **as long as the person is employed by the employer.**

31 **Sec. 3.** NRS 432B.240 is hereby amended to read as follows:

32 432B.240 Any person who knowingly and willfully violates the provisions of
 33 NRS 432B.220 is guilty of :

34 **1. For the first violation, a misdemeanor.**

35 **2. For each subsequent violation, a gross misdemeanor.**

36 **Sec. 3.5. NRS 432B.260 is hereby amended to read as follows:**

37 432B.260 1. Upon the receipt of a report concerning the possible abuse or
 38 neglect of a child, an agency which provides child welfare services or a law
 39 enforcement agency shall promptly notify the appropriate licensing authority, if
 40 any. A law enforcement agency shall promptly notify an agency which provides
 41 child welfare services of any report it receives.

42 2. Upon receipt of a report concerning the possible abuse or neglect of a child,
 43 an agency which provides child welfare services or a law enforcement agency shall
 44 immediately initiate an investigation if the report indicates that:

45 (a) ~~The child is 5 years of age or younger;~~

46 ~~(b)~~ There is a high risk of serious harm to the child;

47 ~~(c)~~ (b) The child has suffered a fatality; or

48 ~~(d)~~ (c) The child is living in a household in which another child has died, or
 49 the child is seriously injured or has visible signs of physical abuse.

50 3. Except as otherwise provided in subsection 2, upon receipt of a report
 51 concerning the possible abuse or neglect of a child or notification from a law
 52 enforcement agency that the law enforcement agency has received such a report, an
 53 agency which provides child welfare services shall conduct an evaluation not later

1 than 3 days after the report or notification was received to determine whether an
2 investigation is warranted. For the purposes of this subsection, an investigation is
3 not warranted if:

4 (a) The child is not in imminent danger of harm;

5 (b) The child is not vulnerable as the result of any untreated injury, illness or
6 other physical, mental or emotional condition that threatens the immediate health or
7 safety of the child;

8 (c) The alleged abuse or neglect of the child or the alleged effect of prenatal
9 illegal substance abuse on or the withdrawal symptoms resulting from any prenatal
10 drug exposure of the newborn infant could be eliminated if the child and the family
11 of the child are referred to or participate in social or health services offered in the
12 community, or both; or

13 (d) The agency determines that the:

14 (1) Alleged abuse or neglect was the result of the reasonable exercise of
15 discipline by a parent or guardian of the child involving the use of corporal
16 punishment, including, without limitation, spanking or paddling; and

17 (2) Corporal punishment so administered was not so excessive as to
18 constitute abuse or neglect as described in NRS 432B.150.

19 4. If the agency determines that an investigation is warranted, the agency shall
20 initiate the investigation not later than 3 days after the evaluation is completed.

21 5. If an agency which provides child welfare services investigates a report of
22 alleged abuse or neglect of a child pursuant to NRS 432B.010 to 432B.400,
23 inclusive, the agency shall inform the person responsible for the child's welfare
24 who is named in the report as allegedly causing the abuse or neglect of the child of
25 any allegation which is made against the person at the initial time of contact with
26 the person by the agency. The agency shall not identify the person responsible for
27 reporting the alleged abuse or neglect.

28 6. Except as otherwise provided in this subsection, if the agency determines
29 that an investigation is not warranted, the agency may, as appropriate:

30 (a) Provide counseling, training or other services relating to child abuse and
31 neglect to the family of the child, or refer the family to a person who has entered
32 into an agreement with the agency to provide those services; or

33 (b) Conduct an assessment of the family of the child to determine what
34 services, if any, are needed by the family and, if appropriate, provide any such
35 services or refer the family to a person who has entered into a written agreement
36 with the agency to make such an assessment.

37 ➤ If an agency determines that an investigation is not warranted for the reason set
38 forth in paragraph (d) of subsection 3, the agency shall take no further action in
39 regard to the matter and shall delete all references to the matter from its records.

40 7. If an agency which provides child welfare services enters into an
41 agreement with a person to provide services to a child or the family of the child
42 pursuant to subsection 6, the agency shall require the person to notify the agency if
43 the child or the family refuses or fails to participate in the services, or if the person
44 determines that there is a serious risk to the health or safety of the child.

45 8. An agency which provides child welfare services that determines that an
46 investigation is not warranted may, at any time, reverse that determination and
47 initiate an investigation.

48 9. An agency which provides child welfare services and a law enforcement
49 agency shall cooperate in the investigation, if any, of a report of abuse or neglect of
50 a child.

51 **Sec. 4.** NRS 432B.630 is hereby amended to read as follows:

52 432B.630 1. A provider of emergency services shall take immediate
53 possession of a child who is or appears to be not more than 30 days old:

1 (a) When:

2 (1) The child is voluntarily delivered to the provider by a parent of the
3 child; and

4 (2) The parent does not express an intent to return for the child; or

5 (b) When the child is delivered to the provider by another provider of
6 emergency services pursuant to paragraph (b) of subsection 2.

7 2. A provider of emergency services who takes possession of a child pursuant
8 to subsection 1 shall:

9 (a) Whenever possible, inform the parent of the child that:

10 (1) By allowing the provider to take possession of the child, the parent is
11 presumed to have abandoned the child;

12 (2) By failing or refusing to provide an address where the parent can be
13 located, the parent waives any notice of the hearing to be conducted pursuant to
14 NRS 432B.470; and

15 (3) Unless the parent contacts the local agency which provides child
16 welfare services, action will be taken to terminate his or her parental rights
17 regarding the child.

18 (b) Perform any act necessary to maintain and protect the physical health and
19 safety of the child. If the provider is a public fire-fighting agency ~~+~~, *a volunteer*
20 *fire department*, a law enforcement agency ~~+~~ *or an ambulance service*, the
21 provider shall immediately cause the safe delivery of the child to a hospital, an
22 obstetric center or an independent center for emergency medical care licensed
23 pursuant to chapter 449 of NRS.

24 (c) As soon as reasonably practicable but not later than 24 hours after the
25 provider takes possession of the child, report that possession to an agency which
26 provides child welfare services and, if the provider is not a law enforcement
27 agency, to a law enforcement agency. The law enforcement agency shall notify the
28 Clearinghouse and investigate further, if necessary, using any other resources to
29 determine whether the child has been reported as a missing child. Upon conclusion
30 of the investigation, the law enforcement agency shall inform the agency which
31 provides child welfare services of its determination. The agency which provides
32 child welfare services shall maintain that information for statistical and research
33 purposes.

34 3. A parent who delivers a child to a provider of emergency services pursuant
35 to paragraph (a) of subsection 1:

36 (a) Shall leave the child:

37 (1) In the physical possession of a person who the parent has reasonable
38 cause to believe is an employee of the provider; or

39 (2) On the property of the provider in a manner and location that the parent
40 has reasonable cause to believe will not threaten the physical health or safety of the
41 child, and immediately contact the provider, through the local emergency telephone
42 number or otherwise, and inform the provider of the delivery and location of the
43 child. A provider of emergency services is not liable for any civil damages as a
44 result of any harm or injury sustained by a child after the child is left on the
45 property of the provider pursuant to this subparagraph and before the provider is
46 informed of the delivery and location of the child pursuant to this subparagraph or
47 the provider takes physical possession of the child, whichever occurs first.

48 (b) Shall be deemed to have given consent to the performance of all necessary
49 emergency services and care for the child.

50 (c) Must not be required to provide any background or medical information
51 regarding the child, but may voluntarily do so.

1 (d) Unless there is reasonable cause to believe that the child has been abused or
2 neglected, excluding the mere fact that the parent has delivered the child to the
3 provider pursuant to subsection 1:

4 (1) Must not be required to disclose any identifying information, but may
5 voluntarily do so;

6 (2) Must be allowed to leave at any time; and

7 (3) Must not be pursued or followed.

8 4. As used in this section:

9 (a) "Clearinghouse" has the meaning ascribed to it in NRS 432.150.

10 (b) "Provider of emergency services" means:

11 (1) A hospital, an obstetric center or an independent center for emergency
12 medical care licensed pursuant to chapter 449 of NRS;

13 (2) A public fire-fighting agency ~~†; or†~~, *including, without limitation, a*
14 *volunteer fire department;*

15 (3) A law enforcement agency ~~†~~; *or*

16 (4) *An ambulance service that holds a permit issued pursuant to the*
17 *provisions of chapter 450B of NRS.*

18 **Sec. 5.** 1. The agency, board, bureau, commission, department, division or
19 political subdivision of the State responsible for the licensure, certification or
20 endorsement of a person who is described in subsection 4 of NRS 432B.220, as
21 amended by section 2 of this act, who is required in his or her professional or
22 occupational capacity to be licensed, certified or endorsed in this State and who is
23 already licensed, certified or endorsed on October 1, 2013, shall, upon the next
24 renewal of the license, certificate or endorsement:

25 (a) Inform the person, in writing or by electronic communication, of his or her
26 duty as a mandatory reporter pursuant to that section;

27 (b) Obtain a written acknowledgment or electronic record from the person that
28 he or she has been informed of his or her duty pursuant to that section; and

29 (c) Maintain a copy of the written acknowledgment or electronic record for as
30 long as the person is licensed, certified or endorsed in this State.

31 2. The employer of a person who is described in subsection 4 of NRS
32 432B.220, as amended by section 2 of this act, who is not required in his or her
33 professional or occupational capacity to be licensed, certified or endorsed in this
34 State and who is already employed on October 1, 2013, must, on or before
35 December 31, 2013:

36 (a) Inform the person, in writing or by electronic communication, of his or her
37 duty as a mandatory reporter pursuant to that section;

38 (b) Obtain a written acknowledgment or electronic record from the person that
39 he or she has been informed of his or her duty pursuant to that section; and

40 (c) Maintain a copy of the written acknowledgment or electronic record for as
41 long as the person is employed by the employer.