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2022 Nevada Revised Statutes Chapter 441A - Infectious Diseases; Reporting Concerning Communicable Diseases, Overdoses and Attempted Suicides

NRS 441A.160 - Investigation: Powers of health authority to conduct investigation of communicable disease; order to require person to submit to examination; order of isolation, quarantine or treatment; regulations concerning appeal of order to submit to examination or testing.

Universal Citation: NV Rev Stat § 441A.160 (2022)

1. A health authority who knows, suspects or is informed of the existence within the jurisdiction of the health authority of any communicable disease that poses a risk to the health of the public and is in an infectious state, at risk of developing into an infectious state or at risk of developing into a progressed state that endangers the health of the person with the communicable disease shall immediately investigate the matter and all

circumstances connected with it, and shall take such measures for the prevention, suppression and control of the disease as are required by the regulations of the Board or a district board of health.

2. A health authority may:

(a) Enter private property at reasonable hours to investigate any case or suspected case of a communicable disease to determine the danger posed by the case or suspected case to the public, including, without limitation, whether the communicable disease is in an infectious state.

(b) Order any person whom the health authority has a reasonable factual and medical basis to suspect has a communicable disease that is in an infectious state and poses a risk to the health of the public to submit to any medical examination or test which the health authority determines is necessary to verify the presence of the disease. The order must be in writing and specify the name of the person to be examined or tested and the time and place of the examination and testing, and may require the person to take other actions that the health authority has determined are necessary to prevent the spread of the communicable disease.

(c) Except as otherwise provided in this paragraph, subsection 6 and NRS 441A.210, issue an order requiring the isolation, quarantine or treatment of any person or group of persons if the health authority has a reasonable factual and medical basis to believe that such action is necessary to protect the public health. The order must be in writing and specify the person or group of persons to be isolated or quarantined, the time during which the order is effective and the place of isolation or quarantine. The order may direct the person or group of persons to take other actions that the health authority has determined are necessary to prevent the spread of the communicable disease. The health authority shall not order isolation or quarantine if the health authority determines that such action may compromise the health of a person who is isolated or quarantined.

3. Each order issued pursuant to this section must:

(a) Be served upon each person named in the order by delivering a copy to the person; and

(b) State the reasons that each of the actions prescribed by the order are necessary and are the least restrictive means available to prevent, suppress or control the communicable disease.

4. The Board and each district board of health shall adopt regulations to establish a process by which a person may appeal to the health authority an order issued pursuant to

paragraph (b) of subsection 2. The health authority shall provide to a person who receives such an order a document stating the rights of the person, including, without limitation, the right to appeal the order, at the time and in the manner prescribed by regulation of the Board or the district board of health, as applicable.

5. If a health authority issues an order to isolate or quarantine a person with a communicable or infectious disease in a medical facility, the health authority must isolate or quarantine the person in the manner set forth in NRS 441A.505 to 441A.720, inclusive.

6. Except as otherwise provided in NRS 441A.310 and 441A.380, a health authority may not issue an order requiring the involuntary treatment of a person without a court order requiring the person to submit to treatment. A court shall not order a person to submit to treatment unless the court finds that there is clear and convincing evidence that:

(a) The person has a communicable disease in an infectious state; and

(b) Because of that disease, the person is likely to pose a risk to the public health.

(Added to NRS by 1989, 295; A 2003, 2206; 2011, 2507; 2021, 3183)

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