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Health and Welfare; Client Abuse

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resident.⁵⁹ Furthermore, the advocate may obtain information and assistance from state agencies.⁶⁰ When the investigation reveals violations of statutes and regulations, the advocate must refer the results of the investigation to the governmental agencies authorized to enforce the applicable laws and regulations.⁶¹ Finally, the advocate must notify the complainant of the final disposition on the matter.⁶²

In summary, Chapter 339 creates rights for patients in health and care facilities,⁶³ and requires that each patient be informed of these rights upon admission to the facility.⁶⁴ In addition, Chapter 411 provides advocates for the residents of long-term care facilities,⁶⁵ and sets forth the advocates' duties⁶⁶ and the procedures they must follow in investigating a complaint made by or on behalf of a resident.⁶⁷

59. *Id.*

60. *See id.* c. 411, §4(3), at 1027.

61. *See id.* c. 411, §5(1), at 1027.

62. *Id.* c. 411, §5(2), at 1027.

63. *See generally id.* c. 339, §2, at 820.

64. *Id.* c. 339, §5, at 822.

65. *See generally id.* c. 411, §2, at 1026.

66. *See generally id.*

67. *See generally id.* c. 411, §§3, 4, at 1026.

Health and Welfare; client abuse

NEV. REV. STAT. §433.554 (amended).
AB 420 (Jeffrey); 1983 STAT. Ch 390

Existing law makes illegal the abuse of clients¹ of the Department of Human Resources Mental Hygiene and Mental Retardation Division (hereinafter referred to as the Division) by any employee of the Division or by any other person.² Chapter 390 expands this client protection by providing that any employee of the Division or other person who has reason to believe that a client has been or is being abused, is guilty of a misdemeanor if the suspected abuse is not reported.³ For purposes of Chapter 390, abuse means (1) physical or mental injury of a nonaccidental nature, (2) sexual abuse, (3) sexual exploitation, (4) negligent treatment, or (5) maltreatment.⁴

Before the enactment of Chapter 390, the wilful abuse of a client of

1. NEV. REV. STAT. §433.044 (definition of client).

2. *Id.* §§433.084 (definition of division), 433.554 (amended by 1983 Nev. Stat. c. 390, §1, at 933); *see also id.* §§433.094 (definition of division facility), 433.233 (list of division facilities).

3. *Id.* §433.554(1)(a) (amended by 1983 Nev. Stat. c. 390, §1(1)(a), at 933).

4. *Id.* §433.554(4) (amended by 1983 Nev. Stat. c. 390, §1(4), at 933).

the Division was punishable as a misdemeanor.⁵ Chapter 390 increases the penalty by providing that an offender who wilfully abuses a client is chargeable with a gross misdemeanor.⁶ If, however, the abuse results in substantial bodily harm to the client, the offender may be punished by imprisonment for not less than one or more than six years, by a fine not exceeding \$5,000, or by both a fine and imprisonment.⁷

5. 1975 Nev. Stat. c. 745, §57, at 1599 (amending NEV. REV. STAT. §433.554).

6. See NEV. REV. STAT. §433.554(2) (amended by 1983 Nev. Stat. c. 390, 1(2), at 933).

7. See *id.*

Health and Welfare; the mentally retarded

NEV. REV. STAT. §278.— (new).

AB 34 (Committee on Health and Welfare); 1983 STAT. Ch 61

Existing law provides that the governing bodies of cities, counties, or regions may designate zoning districts and regulate the construction and use of buildings and land in each district.¹ Chapter 61 removes obstacles imposed by zoning ordinances that prevent mentally retarded persons from living in normal residences.² Any ordinance using the term "single-family residence" must now include within that definition a home in which six or fewer unrelated mentally retarded persons live with one or two other related or unrelated persons who act as house parents or guardians.³ Governing bodies remain free to regulate homes that are operated on a commercial basis.⁴

1. NEV. REV. STAT. §278.250(1).

2. 1983 Nev. Stat. c. 61, §1(1), at 221.

3. *Id.* c. 61, §1(2), at 221. This provision does not prohibit a broader definition that allows more persons to reside in the home. *Id.* c. 61, §1(3), at 221.

4. *Id.* c. 61, §1(3), at 221.

Health and Welfare; transportation of livestock

NEV. REV. STAT. §565.080 (repealed); §§565.090, 571.210 (amended).

AB 149 (Committee on Natural Resources, Environment and Agriculture); 1983 STAT. Ch 404

Under existing law, it is unlawful for any person to remove animals¹

1. NEV. REV. STAT. §565.010(1) (definition of animals).