

WASHOE COUNTY

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Affidavit of Publication

STATE OF NEVADA,
County of Washoe—SS.

Mary Hefling

being duly sworn, deposes and says that he is the

Record Clerk

of The SPARKS TRIBUNE, a weekly newspaper,
published in Sparks, Washoe County, Nevada; that
he has charge of and knows the advertising ap-
pearing in said newspaper, and the

Notice of County Ordinance

Bill No. 610, Ordinance No. 439

of which a copy is hereunto attached, was first
published in said newspaper in its issue dated

December 5, 1979

and was published in each of the following issues
thereafter: December 12, 1979

the date of the last publication being in the issue
of December 12, 1979

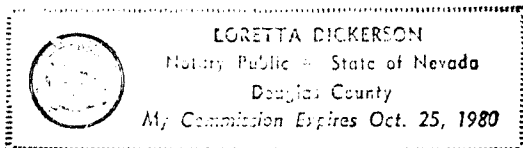
Mary Hefling
Subscribed and sworn to before me this, the

12th day of December, 1979

Loretta Dickerson
Douglas
Notary Public in and for the County of ~~Washoe~~

State of Nevada.

My Commission expires: October 25, 1980



NOTICE OF COUNTY ORDINANCE
NOTICE IS HEREBY GIVEN that Bill No. 610, Ordinance No. 439, entitled, "An Ordinance providing counseling and medical treatment for victims of sexual assault and other matters properly relating thereto" was adopted on November 28, 1979, by Commissioners Farr, Brown, Ferrari, Stoess and Underwood. Typewritten copies of the Ordinance are available for inspection by all interested persons at the office of the County Clerk.
JUDI BAILEY
Washoe County Clerk
Publish: 12-5, 12, 1979.

79-1851

SUMMARY: An ordinance providing counseling and medical treatment for victims of sexual assault.

BILL NO. 610

ORDINANCE NO. 439

AN ORDINANCE PROVIDING COUNSELING AND MEDICAL TREATMENT FOR VICTIMS OF SEXUAL ASSAULT AND OTHER MATTERS PROPERLY RELATING THERETO.

THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY DO ORDAIN:

SECTION 1. Purpose and authorizations.

To provide facilities for the counseling of a victim of sexual assault or the victim's spouse and facilities for medical treatment of a victim of sexual assault including initial emergency medical care and to provide procedures for making application to receive counseling and medical treatment pursuant to NRS 217.290 as amended in Chapter 353 of the Sixtieth Session of the Nevada Legislature.

SECTION 2. Definitions.

The following terms, whenever used or referred to in this ordinance shall have the following meaning:

- A. "Applicant" shall mean a victim of sexual assault or a victim's spouse.
- B. "Board" shall mean the Board of County Commissioners of Washoe County.
- C. "County hospital" shall mean a hospital within the County of Washoe established under the provisions of NRS Chapter 450.
- D. "Victim of sexual assault" shall mean a person who has been sexually assaulted as defined in NRS 200.366.

SECTION 3. Application procedure.

An applicant may make application for medical or counseling treatment to the Board or to the County hospital. Such application shall be accompanied by an affidavit from the applicant containing the information as specified in subsection 2 of NRS 217.310 and a statement that a written report has been filed with the appropriate law enforcement agency pursuant to subsection 3 of NRS 217.310. Applications filed directly by the applicant with the Board must be accompanied by a written certification described in Section 4.C.2 below.

SECTION 4. Treatment facilities.

- A. The County hospital shall provide the medical and counseling treatment to applicants whose applications have been approved pursuant to Section 5 of this ordinance. In cases in which the treatment authorized is not available at the County hospital, the County hospital shall make arrangements for the provision of such treatment through contract or agreement subject to the limitation listed in Section 6.
- B. The Board shall make available to the County hospital the application, affidavit and the written certification forms for use in processing applications.

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- C. 1. A copy of the completed application and affidavit pursuant to Section 3 shall be forwarded by the County hospital to the Board for approval.
2. The application shall be accompanied by a copy of a written certification from a physician or counselor which describes the physical injuries or emotional trauma resulting from the sexual assault and sets forth the medical or counseling treatment required.
3. Before forwarding the copies required in Sub-section 1 and 2 above, the County hospital shall delete the name of the applicant and all references to the applicant shall be by case number only. The County hospital shall retain the original of the application, affidavit and written certification.

SECTION 5. Approval of application, closed session permitted.

- A. Upon receipt of the application, affidavit and written certification the Board shall approve the application for treatment. If evidence of a fraudulent claim is present, the Board may request the County hospital to provide the identity of the applicant and the County hospital must release the information to the Board. The Board may request additional documentation in support of the claim from the applicant. Where a fraudulent claim is found to exist the Board shall deny the claim and refer it to the District Attorney's Office for prosecution. In reviewing an application for treatment and supporting material the Board may do so in a closed meeting pursuant to NRS 241.030.
- B. As a condition of the Board's approval of an application for counseling, the Board shall require the treating psychologist, psychiatrist or counselor to make from time to time a certification required by NRS 217.330. The Board may order such treatment terminated for failure to make the certification.

SECTION 6. Costs.

The cost of the medical or counseling treatment, other than costs incurred under Section 7, authorized by the Board pursuant to Section 5 shall be paid by the County from the Sexual Assault Victims Expense Account not to exceed \$1,000 for any one incident of sexual assault.

SECTION 7. Emergency Medical Treatment; Reimbursement.

- A. Any costs incurred by a hospital for examination of a victim of sexual assault when such examination is performed for the purposes of gathering evidence for possible prosecution or for initial emergency medical care for the victim of sexual assault shall be charged directly to the county in whose jurisdiction the offense was committed pursuant to NRS 449.244. Initial emergency medical care is deemed to terminate upon discharge of the victim following completion of initial emergency medical treatment or admittance of the victim for further treatment due to the injuries.
- B. Should any victim of sexual assault pay the costs of initial emergency medical care or the costs associated

with gathering evidence pursuant to this Section, the victim may file a claim with the Board for reimbursement of such costs within six months following the date of payment.

SECTION 8. Fraudulent claims.

All parties knowingly assisting in the preparation of payment of fraudulent applications shall be prosecuted under the applicable criminal statutes.

SECTION 9.

If any provision of this ordinance is declared by a court of competent jurisdiction to be illegal or unconstitutional, it shall in no way affect the remainder of this ordinance or any section thereof, and the remaining provisions of this ordinance shall remain in full force and effect.

Proposed on the 20 day of November, 1979.

Proposed by Commissioners Farr, Stoess, Underwood, Brown & Ferrari

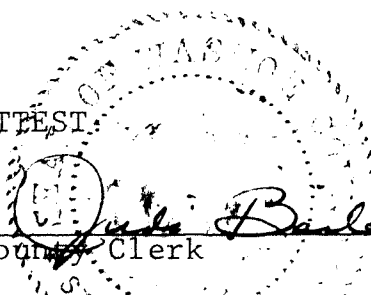
Passed on the 27 day of November, 1979.

Vote:

Ayes:	Commissioners: Farr, Stoess, Underwood, Brown & Ferrari
Nays:	Commissioners: None
Absent:	Commissioners: None

Bill Farr

 Chairman of the Board

ATTEST:

[Signature]

 County Clerk

This ordinance shall be in force and effect from and after the 12 day of December, 1979, except as otherwise specifically provided herein.