

Nevada

Shield Law Fact Sheet

AUGUST 2024

Nevada's shield laws provide protections against out-of-state investigations and prosecutions and professional discipline related to reproductive health care lawful in Nevada. Nevada also provides protections for consumer health data, including information related to both reproductive and gender-affirming health care. Nevada's shield laws do not currently protect against civil liability or adverse professional liability consequences related to reproductive health care, and do not provide any protections for gender-affirming health care other than related to consumer health data.¹

PROTECTION AGAINST OUT-OF-STATE INVESTIGATIONS AND PROSECUTIONS

Protection Barring State Agency/Employee Assistance

State agencies and individuals acting on their behalf may not provide any information or use any resources in furtherance of any investigation or proceeding in another state that seeks to impose civil or criminal liability or professional sanction upon any person or entity for providing, receiving, securing, or assisting in reproductive health care services lawful in Nevada.²

Protection against Extradition and Arrests

The governor may not surrender or issue a warrant for the arrest of any person charged in another state with a criminal violation involving the provision, receipt of, or assistance with reproductive health care services, unless the person was physically present in the state requesting surrender at the time of the commission of the alleged offense and fled from that state.³

¹ Proposed shield legislation for gender-affirming health care, SB 302, was vetoed by the governor in June 2023.

² SB 131 (Nev. 2023) (Nev. Rev. Stat. § 232.0088).

³ SB 131 (Nev. 2023) (Nev. Rev. Stat. § 179.540).

PROTECTION FROM PROFESSIONAL DISCIPLINE

Protection against Adverse Actions related to Providers' Licenses and Other Board Discipline

A health care licensing board may not disqualify a person from licensure or subject a person to discipline solely for providing or assisting in reproductive health care services lawful in Nevada or because of any judgment, discipline, or other sanction imposed by another state for providing or assisting in the provision of reproductive health care services lawful in Nevada.⁴

PRIVACY OF DATA RELATED TO ABORTION AND GENDER-AFFIRMING CARE

Protection Against Disclosure of Data by Reproductive Health Apps

Businesses that provide products and services targeted at Nevada consumers and that process consumer health data—including information relating to reproductive, sexual, or gender-affirming care—may not share, collect, or use any consumer health data without the consumer's consent, or to the extent necessary to provide a product or service that the consumer has requested.⁵

Protection of Location Data

A person may not use a geofence within 1,750 feet of a medical facility that provides health care services for the purpose of identifying or tracking consumers seeking health care services, collecting consumer health data, or sending notifications to consumers related to their health data.⁶

⁴ SB 131 (Nev. 2023) (Nev. Rev. Stat. § 629.250).

⁵ SB 370 (Nev. 2023) (Nev. Rev. Stat. § 603A.500; Nev. Rev. Stat. § 603A.430 (defining "consumer health data"). Additionally, these businesses may only authorize their employees to access consumer health data where necessary to provide a product or service that the consumer has requested. SB 370 (Nev. 2023) (Nev. Rev. Stat. § 603A.525).

⁶ SB 370 (Nev. 2023) (Nev. Rev. Stat. § 603A.540).

ABOUT THE CENTER ON REPRODUCTIVE HEALTH, LAW, AND POLICY (CRHLP)

CRHLP is a nationwide think tank and research center created to meet the current national crisis in access to abortion while working towards long-term solutions to advance reproductive justice. CRHLP conducts analysis and research for legal, policy, and narrative change and serves as a trusted hub for convening and engaging academics, advocates, health care providers, policy makers, and community members to reimagine the landscape of reproductive health law and policy. CRHLP also trains the reproductive law and policy leaders of tomorrow. CRHLP is committed to the highest standards of independent inquiry, academic excellence, and rigor. Research findings and conclusions are never altered to accommodate other interests, including those of funders, other organizations, or government bodies and officials.

For more information

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