

NevadaLockbox.nv.gov



Protecting Your Wishes

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for Southern Nevada

What is the Nevada Lockbox?

NRS 225.320 – “Nevada Lockbox” means the registry authorized to be established by the Secretary of State pursuant to NRS 225.370.

- A no-cost electronic repository to store advance directives for healthcare and guardianship nominations and other documents
- Accessible only by you, your designees, and Authorized Entities

What is the Nevada Lockbox?

Established 2007 by Nevada Legislature amending NRS 449 – Medical Facilities and Other Related Entities (Now NRS 449A.700-.739)

- Required the Secretary of State to establish and maintain the Registry of Advance Directives for Health Care on Internet website

What is the Nevada Lockbox?

2009 – Legislation to establish the *Nevada Lockbox* – an electronic registry maintained on the Internet to securely store the advance directives and other documents people may wish to file

What is the Nevada Lockbox?

NRS 225.310 – “Lockbox” means an electronic file, including without limitation, any will or other document stored electronically in the file, that is established in the Nevada Lockbox and registered to a person pursuant to NRS 225.370.

What is the Nevada Lockbox?

2017 – Senate Bill 229 added the filing of a Nomination of Guardianship to the Lockbox.
(NRS 159.0753)

A separate Guardianship Registry was added to the Nevada Lockbox.

What is the Nevada Lockbox?

Nevada Lockbox is referenced in four chapters of NRS:

1. NRS 225 – Secretary of State
2. NRS 449A – Care and Rights of Patients
3. NRS 159 – Guardianship of Adults
4. NRS 77 – Nonresident guardian

What is the Nevada Lockbox?

The Nevada Lockbox is one virtual storage repository with two registries:

- Advance Directive Registry
- Guardianship Registry

Filing in the Nevada Lockbox

Advance Directive Registry
requires

- Registration Agreement and
- Copy of the advance directive documents to be filed

Filing in the Nevada Lockbox

The Guardianship Registry requires the filing of the mandatory form, with witness signatures and notary acknowledgement

Request to Nominate Guardian

- May nominate same or different persons for Guardian of Estate and Guardian of Person
- NRS 159.0753

Nomination of Guardian

Two qualified adult witnesses must attest that:

- Principal is known personally to witness
- Nomination request is signed in witness presence
- Principal appears to be of sound mind, has the mental capacity to understand and execute this document and is under no duress
- Have no interest, financial or otherwise, in the estate of the Principal

Nomination of Guardian

Section 3 of Senate Bill 229 gives instruction to the Court:

“If a guardian applies to a court to be designated as the guardian of a person, the court must determine whether a guardian has already been designated for the person by accessing the Nevada Lockbox”

Nomination of Non-Resident Guardian

If the Court appoints a nonresident as guardian for the adult... “the Court shall order the guardian to designate a registered agent in this State in the same manner as a represented entity pursuant to chapter 77 of NRS”

Nomination of Guardian

NRS 77.155 – “Nonresident guardian” means a person who is not a resident of this State and who is appointed as guardian for a protected person pursuant to NRS 159.0613.

Nomination of Nonresident Guardian

If a nonresident is appointed as guardian, the guardian must provide notice of the registered agent to the Court.

The Court shall monitor the information of the registered agent using the records of the Secretary of State. (Business Entity search)

Who has access to the Lockbox?

- The Registrant
- Registrant's designees
- Authorized Entities

Who has access to the Lockbox?

- Registration Agreement (Advance Directive Registry) asks to name Primary Contact
- Asks if contact is authorized access to advance directive in emergency

Who has access to the Lockbox?

An Authorized Entity is an individual or organization that the Lockbox, through an application process, has given permission to access the registry

Who has access to the Lockbox?

Authorized Entities for the
Advance Directive Registry
are providers of healthcare
registered with the program

Who has access to the Lockbox?

- Administrative Contact manages the organization's access to the Advance Directive Registry
- Ensures compliance with all policies and procedures for use of the Lockbox

Who has access to the Lockbox?

- Authorized Entities for the **Guardianship Registry** are the District Courts of the State of Nevada
- All District Courts are set up with an Administrative Contact

Who has access to the Lockbox?

NRS 225.380 – Restricts access to individual lockboxes within the registry

What is an Advance Directive?

- Living Will
- Durable Power of Attorney for Healthcare Decisions
- Provider Order for Life-Sustaining Treatment (POLST)
- Do Not Resuscitate orders (DNRs)

Advance Directive for Psychiatric Care

- 2017 Legislation: Senate Bill 50 established the Advance Directive for Psychiatric Care
- Authorized to be filed in the Nevada Lockbox

Advance Directive for Psychiatric Care

To direct a physician or other provider of healthcare in the event the person is incapable of making or communicating decisions regarding psychiatric care (NRS 449A.600-.645)

- Valid for two years

How Do I Create an Advance Directive?

- With assistance of an Attorney or Physician (POLST)
- Online Resources:
 - Southern Nevada Senior Law Program www.snslp.org/
 - Nevada Center for Health Ethics & Policy www.nvlivingwill.com/
 - Nathan Adelson Hospice www.nah.org/
 - AARP http://assets.aarp.org/external_sites/caregiving/end/index.html

How Do I Register with the Advance Directive Registry?

- Complete Registration Agreement
- Form online at www.NevadaLockbox.nv.gov
- Or contact our office (800) 450-8594 option#8

How Do I Register with the Advance Directive Registry?

- Complete the Registration Agreement form
- Fax to (775) 684-7177 or mail signed registration agreement form along with a copy of your advance directives

How Do I Register with the Advance Directive Registry?

- Documents are scanned and electronically stored in a secure repository
- Registrant will receive a confirmation letter with a wallet card

How Do I Register with the Advance Directive Registry?

- May file a “Locator Form” instead of filing actual documents
- Only states the location of where you have stored your documents
- No documents are attached

How do I register a Request to Nominate Guardian

- Execute the mandatory “Request to Nominate Guardian” Form
- Available at www.NevadaLockbox.nv.gov
- Submit by mail or hand deliver *original* executed document with signatures and notarized

Who has access to individual lockboxes within the registry?

- Access protected by issued registry number
- Only you, your designated representative, or an Authorized Entity (registered medical provider) can access

Who has access to individual lockboxes within the registry?

You choose who you notify – family, friend, attorney, executor – of access information

Can I update or make changes to my filed documents?

- Once you file, you may **withdraw or amend or replace** documents in the Advance Directive Registry
- May withdraw from the Lockbox entirely

Can I update or make changes to my filed documents?

- You can revoke, replace or delete all of the documents stored as well as update your Advance Directive Registration Agreement
- If you have original documents stored elsewhere, update/replace those as well.

Can I update or make changes to my Advance Directive?

- Must submit “Authorization to Change Documents” form to add, replace, or withdraw documents
- “Authorization to Change” form to make modifications to registrant information, withdraw from Registry, and revoke documents filed

Can I update or make changes to my Advance Directive?

- All forms available on Secretary of State website: www.nvsos.gov
- Select “Online Services”
- Select “Nevada Lockbox”
- Select “Forms & Resources”

Can I update or make changes to my filed documents?

If you wish to make any changes to a Guardianship Nomination, you must submit a newly executed Nomination Form and submit it to replace the previously submitted Nomination Form

Nevada Lockbox Today

- Active Registrants -21,063
- Advance Directive Registrants - 19,420
- Guardianship Registrants -3,018
- Authorized Entities - 90

Nevada Lockbox Information

- Secretary of State website:
www.NevadaLockbox.nv.gov
- E-mail Lockbox@nvsos.nv.gov
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Contact Information for Presenter

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