

Joe Lombardo
Governor



Laura Rich
Director

ADSD Advocacy Rights Attorney Services & Priorities

Shauna Brennan, Attorney for the Rights of Older Persons and Persons with a Physical Disability, an Intellectual Disability or a Developmental Disability NRS 427A.1232

2026



Department of Human Services

Helping people. It's who we are and what we do.





Agenda

Office of Advocacy Rights Attorney

1. Introduction to Shauna Brennan
2. Overview of the ADSD Advocacy Rights Attorney Position
3. Current Issues
4. 2025 New Laws AB 161 Hospice Bill of Rights and AB 461 Long Term Care Plan
5. Applicable Statutes



Introduction to Shauna Brennan

Shauna Brennan is the Nevada Attorney for the Rights of Older Person, Persons with a Disability, and Intellectual Disability or a Developmental Disability appointed by Nevada Governor Lombardo. Ms. Brennan serves as the Legal Assistance Developer under the Older Americans Act and serves as a member of the Guardianship Commission.

An alumni of Notre Dame Law School, Ms. Brennan is an experienced attorney passionate about protecting the legal rights of older persons and persons with a disability or related condition.

A long time Nevadan, Ms. Brennan calls Henderson home.



Attorney for the Rights of Older Persons and Persons with a Physical Disability, an Intellectual Disability or a Developmental Disability NRS 427A.1234

Objective: support legal rights, coordinate and provide oversight of legal assistance, and identify and mitigate abuse of older and vulnerable adults, persons with a physical disability, an intellectual disability, or a developmental disability

- Technical Legal Assistance & Legal Resource Development
- Interventions & Enforcement (Complaints; Investigation & Resolution)
- Financial Management Services
- Coordinate Legal Assistance as State Legal Assistance Developer (42 U.S.C. §3058j)
- *Amicus Curiae*- friend of the Court
- Guardianship Commission



Current Issues

Many of the legal issues for Nevada's vulnerable population are unfortunately all too common. Since early 2024, the following issues are arising with increased frequency:

1. Housing stability and eviction legal defense (prevent loss of housing during and after hospitalization)
2. Helps and services for frail, elderly and disabled so that they can see an attorney, attend hearings, etc. (sitting with relative so caregiver can attend legal meetings, transportation, etc.)
3. Abuse of Power of Attorney (generally one family member is accusing another of abusing the POA)
4. Issues relating to hospice and medical/personal care assistance referrals and levels of care
5. Issues relating to aging in place (where family members pressure person to move into institution, challenges receiving appropriate care at home, etc.)

So many other important issues as well. Some individuals will qualify based on financial need and all qualify based on age and/or disability, with priority based on financial eligibility.

The goal of OARA to cooperate across government and non-profit and private sector to address these problems. The first step is to identify available resources to address these issues. The second step is to identify gaps in service and to take effective initiatives to provide services so not one Nevadan is left to languish.



2025 Assembly Bill 161

Revisions to Hospice Care

- Key additions to hospice care laws
 - add ethical standards
 - financial conflict of interest
 - require notice of services (NRS 449A)
 - patient consent
- Licensing and license complaints reside with Nevada Health Authority, Bureau of Health Care Quality and Compliance
- ADSD Implementation to protect individual rights and prevent abuse
 - Complaints to Adult Protective Services, referrals to Long Term Care Ombudsman, Office of Consumer Health Advocates, Office of Advocacy Rights Attorney
 - Developing education and outreach for first responders, service providers and public



2025 Assembly Bill 461

Long Term Care Planning Program

- Requires the development of a program to:
 - Develop and carryout a public awareness campaign regarding the importance of planning for long-term care
 - Maintain information on a website with resources
 - Coordinate with financial planners, health insurance, and community organizations
 - Address specific demographic segments
- Annual report on or before February 1
- Division Implementation
 - In line with existing efforts through no wrong door – Nevada Care Connection
 - Existing federal funding to help support outreach efforts – but not guaranteed to be sustained



NRS 427A.1234 Duties and powers of Attorney.

1. The Attorney for the Rights of Older Persons and Persons with a Physical Disability, an Intellectual Disability or a Related Condition shall:

(a) Provide advocacy and education relating to the legal rights of older persons, persons with a physical disability, persons with an intellectual disability or persons with a related condition and shall facilitate the development of legal services to assist those persons in securing and maintaining their legal rights.

(b) Provide, upon request, technical assistance, training and other support relating to the legal rights of older persons, persons with a physical disability, persons with an intellectual disability or persons with a related condition, as appropriate, to:

(1) An attorney who is providing legal services for an older person, a person with a physical disability, a person with an intellectual disability or a person with a related condition;

(2) An employee of a law enforcement agency;

(3) The Ombudsman or an advocate;

(4) An employee of an office for protective services of any county;

(5) An employee of the Division; and

(6) Groups that advocate for older persons, persons with a physical disability, persons with an intellectual disability or persons with a related condition.

(c) Review existing and proposed policies, legislation and regulations that affect older persons, persons with a physical disability, persons with an intellectual disability or persons with a related condition and make recommendations as appropriate to the Administrator.

(d) Review and analyze information relating to the nature and extent of abuse, neglect, exploitation, isolation and abandonment of older persons, persons with a physical disability, persons with an intellectual disability or persons with a related condition to identify services that need to be provided, including, without limitation:

(1) Methods of intervening on behalf of an older person, a person with a physical disability, a person with an intellectual disability or a person with a related condition to protect the older person, person with a physical disability, person with an intellectual disability or person with a related condition from abuse, neglect, exploitation, isolation or abandonment; and

(2) Enforcing the laws of this state governing abuse, neglect, exploitation, isolation and abandonment of older persons, persons with a physical disability, persons with an intellectual disability or persons with a related condition.



NRS 427A.1234 Continued

2. The Attorney for the Rights of Older Persons and Persons with a Physical Disability, an Intellectual Disability or a Related Condition may:

- (a) Have access to, inspect, copy and subpoena all records in the possession of any clerk of a court, law enforcement agency or public or private institution, wherever situated, that relate to the abuse, neglect, exploitation, isolation or abandonment of an older person, a person with a physical disability, a person with an intellectual disability or a person with a related condition.
- (b) Have access to all written records in the possession of any person, government, governmental agency or political subdivision of a government that relate to the abuse, neglect, exploitation, isolation or abandonment of an older person, a person with a physical disability, a person with an intellectual disability or a person with a related condition.
- (c) Represent and assist any incapacitated older person, person with a physical disability, person with an intellectual disability or person with a related condition until a guardian is appointed for that person.
- (d) Use the information obtained pursuant to paragraphs (a) and (b) to resolve complaints relating to the abuse, neglect, exploitation, isolation or abandonment of an older person, a person with a physical disability, a person with an intellectual disability or a person with a related condition.
- (e) Develop services relating to financial management for an older person, a person with a physical disability, a person with an intellectual disability or a person with a related condition who is at risk of having a guardian appointed by a court to manage his or her property.
- (f) Act as the state legal assistance developer as described in 42 U.S.C. § 3058j.
- (g) Appear as amicus curiae on behalf of older persons, persons with a physical disability, persons with an intellectual disability or persons with a related condition in any court in this state.
- (h) Perform such other functions as are necessary to carry out the duties and the functions of the office of the Attorney for the Rights of Older Persons and Persons with a Physical Disability, an Intellectual Disability or a Related Condition.

(Added to NRS by [1989, 1485](#); A [1999, 126](#); [2009, 40](#); [2015, 834](#); [2017, 177](#))



Questions?



Contact Information

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Acronyms

Acronyms:

ADSD Aging and Disability Services Division

NRS Nevada Revised Statute

OAA Older Americans Act, Reauthorization Act
of 2024 (42 U.S.C. §3058j)

OARA Office of Advocacy Rights Attorney

POA Power of Attorney