

PRIVILEGE RIGHTS

NRS 49.207 Definitions. As used in [NRS 49.207](#) to [49.213](#), inclusive, unless the context otherwise requires:

1. A communication is “confidential” if it is not intended to be disclosed to third persons other than:
 - (a) Those present to further the interest of the patient in the consultation, examination or interview;
 - (b) Persons reasonably necessary for the transmission of the communication; or
 - (c) Persons who are participating in the diagnosis and treatment under the direction of the psychologist, including members of the patient’s family.
 2. “Patient” has the meaning ascribed to it in [NRS 641.0245](#).
 3. “Psychologist” has the meaning ascribed to it in [NRS 641.027](#).
- (Added to NRS by 1995, 2497)

NRS 49.209 General rule of privilege. A patient has a privilege to refuse to disclose and to prevent any other person from disclosing confidential communications between the patient and the patient’s psychologist or any other person who is participating in the diagnosis or treatment under the direction of the psychologist, including a member of the patient’s family.

(Added to NRS by 1995, 2497)

NRS 49.215 Definitions. As used in [NRS 49.215](#) to [49.245](#), inclusive:

1. A communication is “confidential” if it is not intended to be disclosed to third persons other than:
 - (a) Those present to further the interest of the patient in the consultation, examination or interview;
 - (b) Persons reasonably necessary for the transmission of the communication; or
 - (c) Persons who are participating in the diagnosis and treatment under the direction of the doctor, including members of the patient’s family.
2. “Doctor” means a person licensed to practice medicine, dentistry or osteopathic medicine in any state or nation, or a person who is reasonably believed by the patient to be so licensed, and in addition includes a person employed by a public or private agency as a psychiatric social worker, or someone under his or her guidance, direction or control, while engaged in the examination, diagnosis or treatment of a patient for a mental condition.
3. “Patient” means a person who consults or is examined or interviewed by a doctor for purposes of diagnosis or treatment.

(Added to NRS by 1971, 785; A 1975, 1632; 1977, 956; 1995, 2498)

NRS 49.225 General rule of privilege. A patient has a privilege to refuse to disclose and to prevent any other person from disclosing confidential communications among the patient, the patient’s doctor or persons who are participating in the diagnosis or treatment under the direction of the doctor, including members of the patient’s family.

(Added to NRS by 1971, 785)

NRS 49.246 Definitions. As used in [NRS 49.246](#) to [49.249](#), inclusive, unless the context otherwise requires:

1. “Client” means a person who consults or is interviewed by a marriage and family therapist for the purpose of diagnosis or treatment.
2. A communication is “confidential” if it is not intended to be disclosed to any third person other than a person:
 - (a) Present during the consultation or interview to further the interest of the client;
 - (b) Reasonably necessary for the transmission of the communication; or
 - (c) Participating in the diagnosis or treatment under the direction of the marriage and family therapist, including a member of the client’s family.
3. “Marriage and family therapist” has the meaning ascribed to it in [NRS 641A.060](#) and includes a marriage and family therapist intern.

(Added to NRS by 1987, 555; A [2007, 3074](#))

NRS 49.247 General rule of privilege. A client has a privilege to refuse to disclose, and to prevent any other person from disclosing, confidential communications among the client, the client’s marriage and family therapist or any other person who is participating in the diagnosis or treatment under the direction of the marriage and family therapist. (Added to NRS by 1987, 556)

NRS 49.035 Definitions. As used in [NRS 49.035](#) to [49.115](#), inclusive, the words and phrases defined in [NRS 49.045](#) to [49.085](#), inclusive, have the meanings ascribed to them in [NRS 49.045](#) to [49.085](#), inclusive.

(Added to NRS by 1971, 782)

NRS 49.045 “Client” defined. “Client” means a person, including a public officer, corporation, association or other organization or entity, either public or private, who is rendered professional legal services by a lawyer, or who consults a lawyer with a view to obtaining professional legal services from the lawyer.

(Added to NRS by 1971, 782)

NRS 49.055 “Confidential” defined. A communication is “confidential” if it is not intended to be disclosed to third persons other than those to whom disclosure is in furtherance of the rendition of professional legal services to the client or those reasonably necessary for the transmission of the communication.

(Added to NRS by 1971, 782)

NRS 49.065 “Lawyer” defined. “Lawyer” means a person authorized, or reasonably believed by the client to be authorized, to practice law in any state or nation.

(Added to NRS by 1971, 783)

NRS 49.075 “Representative of the client” defined. “Representative of the client” means a person having authority to obtain professional legal services, or to act on advice rendered pursuant thereto, on behalf of the client.

(Added to NRS by 1971, 783)

NRS 49.085 “Representative of the lawyer” defined. “Representative of the lawyer” means a person employed by the lawyer to assist in the rendition of professional legal services.

(Added to NRS by 1971, 783)

NRS 49.095 General rule of privilege. A client has a privilege to refuse to disclose, and to prevent any other person from disclosing, confidential communications:

1. Between the client or the client’s representative and the client’s lawyer or the representative of the client’s lawyer.
2. Between the client’s lawyer and the lawyer’s representative.
3. Made for the purpose of facilitating the rendition of professional legal services to the client, by the client or the client’s lawyer to a lawyer representing another in a matter of common interest.

(Added to NRS by 1971, 783)

NRS 49.105 Who may claim privilege.

1. The privilege may be claimed by the client, the client’s guardian or conservator, the personal representative of a deceased client, or the successor, trustee or similar representative of a corporation, association or other organization, whether or not in existence.

2. The person who was the lawyer at the time of the communication may claim the privilege but only on behalf of the client. The person’s authority to do so is presumed in the absence of evidence to the contrary.

(Added to NRS by 1971, 783)

NRS 49.295 Husband and wife: General rule of privilege; exceptions.

1. Except as otherwise provided in subsections 2 and 3 and [NRS 49.305](#):

(a) A husband cannot be examined as a witness for or against his wife without his consent, nor a wife for or against her husband without her consent.

(b) Neither a husband nor a wife can be examined, during the marriage or afterwards, without the consent of the other, as to any communication made by one to the other during marriage.

2. The provisions of subsection 1 do not apply to a:

(a) Civil proceeding brought by or on behalf of one spouse against the other spouse;

(b) Proceeding to commit or otherwise place a spouse, the property of the spouse or both the spouse and the property of the spouse under the control of another because of the alleged mental or physical condition of the spouse;

(c) Proceeding brought by or on behalf of a spouse to establish his or her competence;

(d) Proceeding in the juvenile court or family court pursuant to title 5 of NRS or [NRS 432B.410](#) to [432B.590](#), inclusive; or

(e) Criminal proceeding in which one spouse is charged with:

(1) A crime against the person or the property of the other spouse or of a child of either, or of a child in the custody or control of either, whether the crime was committed before or during marriage.

(2) Bigamy or incest.

(3) A crime related to abandonment of a child or nonsupport of the other spouse or child.

3. The provisions of subsection 1 do not apply in any criminal proceeding to events which took place before the husband and wife were married.

(Added to NRS by 1971, 786; A 1977, 265; 1979, 460; 1985, 842, 1387; 1991, 458, 2177; 1993, 603; [2003, 593, 1115](#))

NRS 49.125 Definitions. As used in [NRS 49.125](#) to [49.205](#), inclusive, the words and phrases defined in [NRS 49.135](#) to [49.175](#), inclusive, have the meanings ascribed to them in [NRS 49.135](#) to [49.175](#), inclusive.

(Added to NRS by 1971, 783)

NRS 49.135 “Accountant” defined. “Accountant” means a person certified or registered as a public accountant under [chapter 628](#) of NRS who holds a live permit.

(Added to NRS by 1971, 783)

NRS 49.145 “Client” defined. “Client” means a person, including a public officer, corporation, association or other organization or entity, either public or private, who is rendered professional accounting services by an accountant, or who consults an accountant with a view to obtaining professional accounting services from the accountant.

(Added to NRS by 1971, 783)

NRS 49.155 “Confidential” defined. A communication is “confidential” if it is not intended to be disclosed to third persons other than those to whom disclosure is in furtherance of the rendition of professional accounting services to the client or those reasonably necessary for the transmission of the communication.

(Added to NRS by 1971, 784)

NRS 49.165 “Representative of the accountant” defined. “Representative of the accountant” means a person employed by the accountant to assist in the rendition of professional accounting services.

(Added to NRS by 1971, 784)

NRS 49.175 “Representative of the client” defined. “Representative of the client” means a person having authority to obtain professional accounting services, or to act on advice rendered pursuant thereto, on behalf of the client.

(Added to NRS by 1971, 784)

NRS 49.185 General rule of privilege. A client has a privilege to refuse to disclose, and to prevent any other person from disclosing, confidential communications:

1. Between the client or the client’s representative and the client’s accountant or the representative of the client’s accountant.

2. Between the client’s accountant and the accountant’s representative.

3. Made for the purpose of facilitating the rendition of professional accounting services to the client, by the client or the client’s accountant to an accountant representing another in a matter of common interest.

(Added to NRS by 1971, 784)

NRS 49.195 Who may claim privilege.

1. The privilege may be claimed by the client, the client’s guardian or conservator, the personal representative of a deceased client, or the successor, trustee or similar representative of a corporation, association or other organization, whether or not in existence.

2. The person who was the accountant may claim the privilege but only on behalf of the client. The person’s authority to do so is presumed in the absence of evidence to the contrary.

(Added to NRS by 1971, 784)

DOCTOR AND PATIENT

NRS 49.215 Definitions. As used in [NRS 49.215](#) to [49.245](#), inclusive:

1. A communication is “confidential” if it is not intended to be disclosed to third persons other than:
 - (a) Those present to further the interest of the patient in the consultation, examination or interview;
 - (b) Persons reasonably necessary for the transmission of the communication; or
 - (c) Persons who are participating in the diagnosis and treatment under the direction of the doctor, including members of the patient’s family.
2. “Doctor” means a person licensed to practice medicine, dentistry or osteopathic medicine in any state or nation, or a person who is reasonably believed by the patient to be so licensed, and in addition includes a person employed by a public or private agency as a psychiatric social worker, or someone under his or her guidance, direction or control, while engaged in the examination, diagnosis or treatment of a patient for a mental condition.
3. “Patient” means a person who consults or is examined or interviewed by a doctor for purposes of diagnosis or treatment.

(Added to NRS by 1971, 785; A 1975, 1632; 1977, 956; 1995, 2498)

NRS 49.225 General rule of privilege. A patient has a privilege to refuse to disclose and to prevent any other person from disclosing confidential communications among the patient, the patient’s doctor or persons who are participating in the diagnosis or treatment under the direction of the doctor, including members of the patient’s family.

(Added to NRS by 1971, 785)

NRS 49.235 Who may claim privilege.

1. The privilege may be claimed by the patient, by the patient’s guardian or conservator, or by the personal representative of a deceased patient.
2. The person who was the doctor may claim the privilege but only on behalf of the patient. The person’s authority so to do is presumed in the absence of evidence to the contrary.

(Added to NRS by 1971, 785)

NRS 49.245 Exceptions. There is no privilege under [NRS 49.225](#) or [49.235](#):

1. For communications relevant to an issue in proceedings to hospitalize the patient for mental illness, if the doctor in the course of diagnosis or treatment has determined that the patient is in need of hospitalization.
2. As to communications made in the course of a court-ordered examination of the condition of a patient with respect to the particular purpose of the examination unless the court orders otherwise.
3. As to written medical or hospital records relevant to an issue of the condition of the patient in any proceeding in which the condition is an element of a claim or defense.
4. In a prosecution or mandamus proceeding under [chapter 441A](#) of NRS.
5. As to any information communicated to a physician in an effort unlawfully to procure a dangerous drug or controlled substance, or unlawfully to procure the administration of any such drug or substance.
6. As to any written medical or hospital records which are furnished in accordance with the provisions of [NRS 629.061](#).
7. As to records that are required by [chapter 453](#) of NRS to be maintained.
8. If the services of the physician are sought or obtained to enable or aid a person to commit or plan to commit fraud or any other unlawful act in violation of any provision of [chapter 616A](#), [616B](#), [616C](#), [616D](#) or [617](#) of NRS which the person knows or reasonably should know is fraudulent or otherwise unlawful.

(Added to NRS by 1971, 785; A 1977, 155, 997, 1314; 1981, 589, 1967; 1985, 2012; 1987, 1036; 1989, 300, 302, 425; 1995, 1877; [2002 Special Session, 12](#))