NORTHERN NEVADA ADULT MENTAL HEALTH SERVICES
POLICY AND PROCEDURE

SUBJECT: CONSUMER OWNERSHIP OR POSSESSION OF FIREARM

NUMBER: NN-RI-23

ORIGINAL DATE: 10/16/08

REVIEW/REVISE DATE: 1/22/09, 1/19/12

APPROVAL: Allan Mandell, Interim Agency Director

I. PURPOSE

To ensure appropriate notification of NRS 202.360, Ownership or Possession of Firearm Prohibited.

II. POLICY

To notify all court committed consumers of the provisions of NRS 202.360.

III. PROCEDURE

1. All consumers' court committed to inpatient hospitalization shall receive notification of the provisions of this statute when they receive the copy of their court commitment papers.
2. Health Information Services (HIS) staff will attach the statute to the consumer's copy of the court commitment and deliver the consumer copy to the Social Services Director who will obtain the consumer's

signature and place a copy of the signed form in the HIS file basket on the unit.)

3. The consumer shall indicate by signature, date and time that they have read, and understand the statute.
4. A copy of the signed statute shall be placed in the medical record.
5. At discharge, the social worker shall review the statute with the consumer and confirm that the consumer has read and understands the statute.

NRS 202.360 Ownership or possession of firearm by certain persons prohibited; penalties.

1. A person shall not own or have in his possession or under his custody or control any firearm if he:

(a) Has been convicted of a felony in this or any other state, or in any political subdivision thereof, or of a felony in violation of the laws of the United States of America, unless he has received a pardon and the pardon does not restrict his right to bear arms;

(b) Is a fugitive from justice; or

(c) Is an unlawful user of, or addicted to, any controlled substance.

➥ A person who violates the provisions of this subsection is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than $5,000.

2. A person shall not own or have in his possession or under his custody or control any firearm if he:

(a) Has been adjudicated as mentally ill or has been committed to any mental health facility; or

(b) Is illegally or unlawfully in the United States.

➥ A person who violates the provisions of this subsection is guilty of a category D felony and shall be punished as provided in NRS 193.130.

3. As used in this section:

(a) "Controlled substance" has the meaning ascribed to it in 21 U.S.C. § 802(6).

(b) "Firearm" includes any firearm that is loaded or unloaded and operable or inoperable.

[2:47:1925; A 1955, 185] + [3:47:1925; NCL § 2304]—(NRS A 1959, 548; 1967, 487; 1979, 1435; 1983, 926; 1985, 453, 594; 1991, 72; 1995, 1208; 1997, 828; 2003, 1352)