

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON COMMERCE AND LABOR
SUBCOMMITTEE ON SB 37**

**Seventy-Third Session
May 17, 2005**

The Committee on Commerce and Labor Subcommittee on S.B. 37 was called to order at 2:10 p.m., on Tuesday, May 17, 2005. Chairman Marcus Conklin presided in Room 3138 of the Legislative Building, Carson City, Nevada. [Exhibit A](#) is the Agenda. All exhibits are available and on file at the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Mr. Marcus Conklin, Chairman
Mrs. Heidi S. Gansert

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

Senator Valerie Wiener, Clark County Senatorial District No. 3

STAFF MEMBERS PRESENT:

Brenda J. Erdoes, Legal Counsel
Diane Thornton, Committee Policy Analyst
Vanessa Brown, Committee Attaché

OTHERS PRESENT:

Robb Miller, President and CEO, Caladon Health Solutions, Las Vegas,
Nevada
Louis Ling, General Counsel, Nevada State Board of Pharmacy
Bill Uffelman, President and CEO, Nevada Bankers Association

Chairman Conklin:

[Called meeting to order. Roll called.] We'll go to work session after we hear from the parties involved. It was decided at the last Subcommittee to see if the parties could come up with something. We also had some concerns. We're looking for clarification and agreement between the parties on what would make this legislation amenable. Also we want to know what protection is in this bill as it pertains to regulation. We'd like to see some specific clarity on this bill.

Senate Bill 37 (1st Reprint): Revises provisions governing wholesalers of prescription drugs. (BDR 54-13)

Senator Valerie Wiener, Clark County Senatorial District No. 3:

You've been provided with a mock-up ([Exhibit B](#)). This is absolutely a consensus amendment. We had counsel with us, two attorneys, the regulators, and the parties who have a major concern in this issue, so everybody who needed a voice was there. The blue language in the mock-up was what we were working from. The green language shows changes we made during that time. On page 2, the first change deals with those who may be required to provide background materials, including a set of fingerprints. We have carved out two exceptions based on the request; one is from the Nevada Bankers regarding the definition of "lender" because the intent was not to capture financial institutions that are already regulated. There was also a concern that any delivery service that may be caught up in this would not be considered part of the commerce. Page 2, lines 9 through 17 address concerns that came to our meetings.

Section 2.5 ([Exhibit B](#)) regards the list and we made a major change to annual from monthly. There are changes with the 30-day update of the list, which was agreed to by all. Page 3 regards lender, common carrier, or delivery. Section 4 addresses a range for bonding that would be at the discretion of the Board. The range would be \$25,000 to \$100,000, which was agreed to by all parties at the table.

On page 5 ([Exhibit B](#)), my amendment was to turn everything into a regulatory process. We already have substantial regulations in place, so in Section 6, the focus of my amendment, the language was changed from "adopt regulations" to "ensure regulations." I don't know if "ensure" wouldn't involve adopting regulations, but this was a concern of parties at the table, and we changed the language from "adopt" regulations to "ensure." The process would be through adopting regulations, but we went to "ensure."

[Senator Wiener, continued.] On page 6 we got a scope of how many transactions would occur. This would limit the number of prior sales to three. At the request of the Pharmacy Board and Mr. Miller, on line 15, we add at the end of the line, "Chapters shall not sell that prescription drug" to add the language "to another wholesaler." We want it to be specified.

Chairman Conklin:

On line 15 at the end, we're going to strike the period and put "to another wholesaler," so you have a manufacturer who sells to a wholesaler, who sells to another wholesaler, and then to another wholesaler, so you now have three wholesalers. The next person to buy must be a dispenser of some kind? There is potentially a maximum of three wholesalers in this chain? [Senator Wiener answered affirmatively.] Wholesaler can be anyone, the original purchaser or the last wholesaler to dispenser, or the guy in between, but no more than that? [Senator Wiener answered affirmatively.] If you are the guy in the middle, and the guy at the end who is the third one whom you've sold it to sells out of state, is there any liability or control there, or are we speaking exclusively to folks in Nevada? It's a question of interstate commerce, but I want to make sure we don't catch somebody who's done what they believe is the right thing, but something beyond their control has happened.

Robb Miller, President and CEO, Caladon Health Solutions, Las Vegas, Nevada:

The intent of this is to preclude drugs from moving around multiple times, which was a means by which counterfeiters used to wash the pedigree to get into the legitimate stream of commerce. As a wholesaler, I receive a product with three people on the pedigree already. I'm required to sell that to a dispenser and I'm perfectly satisfied with that. The manufacturer doesn't actually appear on the pedigree, only the distributors do. This will force me to go to the wholesaler from whom I'm purchasing and request a copy of the pedigree prior to the purchase so I know what stream of commerce I can sell that drug into. [Referred to [Exhibit C](#), submitted by David Goldwater, Investment Consultant, Caladon Health Solutions, Las Vegas, Nevada.]

Senator Wiener:

Section 8.1, page 6 ([Exhibit B](#)) is a wholesaler requirement to compile detailed information about wholesalers with whom he/she will do business. On page 7, line 1, where it says "licensed pursuant to this chapter with whom," and I believe it's "from whom the licensee purchases." If they're not doing it as a team it would be the transaction, is that correct? These are the requirements and the burden they would carry in making sure it is a legitimate transaction and relationship.

[Senator Wiener, continued.] Section 8.2 deals with the wholesaler requirement to maintain evidence of the due diligence regarding each wholesaler with whom they're doing business. There will be a recommendation regarding the provisions not licensed in Nevada, which may address your concern, Chairman Conklin. This deals with the Fair Credit Reporting Act [15 USC 1681 et.seq.], so you're dealing with federal law.

Section 4, page 8, was offered by Mr. Miller and deals with due diligence with the on-site inspections of the people he would want to do business with. It's a substantial burden on his part, but he knows who's doing business with the on-site inspections. There are a lot of verifications.

Section 8.4, page 9, deals with requirements in certifying wholesalers and authorized distributors of record (ADR). We added that they can go to the wholesaler's website where it may be posted, and that's the verification. As we go down the page, it deals with evidence and security surety.

There are also provisions for revocation based on these two new concerns. One would be not having the bond; one would be the conviction of filling other sections in this mock-up ([Exhibit B](#)). There is one request from Robb Miller and Louis Ling about the licensed in Nevada provision.

Chairman Conklin:

Is the licensed in Nevada provision a different issue?

Senator Wiener:

I had it as a question when I was doing my notes and it's something Mr. Miller and Mr. Ling had addressed as a concern. They will offer that to the subcommittee.

Chairman Conklin:

On Section 2.5, page 2, line 34, the term "reasonable" at the end of line 34; what is a "reasonable security measure?"

Louis Ling, General Counsel, Nevada State Board of Pharmacy:

The intent of this is the Board's application for wholesalers is extensive. We borrowed it from gaming. It asks many questions and there is a lot of personal information in there. Presently, under the Public Records Law, unless it's otherwise kept confidential, it's public record. We needed to have some legislative guidance if we were going to keep this from the public. If we were to get a request for an application, we would now be allowed to remove from that application when we turned it over to the person requesting the record those things that we would expect to remain private of the licensees, such as the

names of the children, siblings, parents, and the number of divorces they've had. Now we could censor this and redact when we provide it publicly, so that information would not be publicly viewable. We did want to retain the ability, while working with a sister state, to turn it over to them without taking out that information. I would view that as reasonable because there would still be things in there that would always be public, such as their address and whether they're maintaining their bond and in good standing. These are all things the public needs to know. We would be able to at least retain parts of that application as things that would not be publicly viewable.

Senator Wiener:

I suggested we look at the identity theft bill and see what we can pull. The sense of this is the same kind of commitment to protecting information for the person in terms of identity theft. Some information does not need to be made public in order for the public's best interest to be served. We structured the language by building around that concept.

Assemblywoman Gansert:

You mentioned you took this from gaming; is this exactly how gaming is worded? Is the application somewhat similar and is there a way we can specify out what is and is not confidential so it's better defined?

Brenda Erdoes:

We can certainly come up with a list like that, but the downside is you might miss something. If you have that list and you do miss those things, they're going to be clearly not confidential or confidential, depending on which way you slip.

Assemblywoman Gansert:

I'm not sure whether it's better to have a list, but this language seems loose to me. When you get information from other states, do they pass you a document with the name, address, and approved or not approved? What type of information do you receive if you're getting something from another state?

Louis Ling:

Most of the sister states cooperate, so if we ask for their application, we get whatever we ask for. Our application in Nevada is the most extensive in the country, so most people are interested in our applications, not vice versa. What we usually get from sister states is making sure they're licensed in those states, which is just the name, address, et cetera.

Assemblywoman Gansert:

I'm thinking everything is confidential except for whether or not you have a license, name, address, or whatever is required to have the reciprocity in another state. What's the minimum you have to send them and what's acceptable for them to be able to trade with another state, and everything else falls under confidential?

Louis Ling:

We're talking about two different points of access to this data. The public is the point of access that Mr. Miller is concerned about because his competitors could ask for his licensure application and learn things about him that should be protected from them, and they ought to get only that minimal information you're talking about. When a sister state asks us for the application, they're going through the same analysis we are, which is, should we license them? Whatever they want, they should be entitled to have so they have the full story, because they're going to be bound by their state's confidentiality laws the same way we are bound by ours.

Assemblywoman Gansert:

You transmit the information making sure it's understood the information is confidential.

Robb Miller:

From a wholesaler's perspective, Louis is correct that it's the private information we don't want our competitors or other people finding out about. As far as sister states asking for this information to verify I'm a legitimate actor within the industry, I'm absolutely fine with that. As far as being specific about what information that may be, I would have confidence the Board would do the appropriate thing in terms of what information they'll disclose to anyone checking on a license. It's something they already do for pharmacists.

Assemblywoman Gansert:

In Section 2, page 2 ([Exhibit B](#)), there is no time frame on the provisional license. Are there usually any time frames that you provide a provisional license? Is it just until you get the information back from the FBI, and are there certain parameters that can be defined?

Brenda Erdoes:

This one says "pending receipt of the reports from the FBI," so they would be limited to that period where the fingerprints are pending there and they haven't received the report yet. After that, the provisional license would have to be replaced with the real license or be gone.

Assemblywoman Gansert:

Just so we don't have someone in provisional for two years.

Brenda Erdoes:

Unless it took two years to get that.

Assemblywoman Gansert:

We can't really control that?

Brenda Erdoes:

You could, but you could end up with a period when a person's application was truly pending, the Board of Pharmacy was not getting the information from the database, they still were trying to do business, but you'd be taking away their license.

Assemblywoman Gansert:

Do we have provisional licenses for other types of groups? I know we looked at this from a medical standpoint and we took it out as far as physicians. They thought about doing provisionals but decided most physicians are organized and apply way in advance so you don't get caught up in this provisional. Do we have other entities that have provisional licenses?

Brenda Erdoes:

We do have some other ones that have provisional licenses and they're usually wrapped around the FBI, and teachers have them too.

Louis Ling:

From the Board of Pharmacy's perspective, because we meet every six weeks, as soon as that FBI thing came in, we could get them resolved within a matter of weeks. If there was a problem the FBI card showed they hadn't disclosed on their application, I would have an obligation to take that to the Board and let them make the final decision. The longest you're going to hold someone up after the FBI fingerprint card comes back is maybe 4 to 5 weeks. We can get them on immediately once we get the card, depending on where the meeting falls.

Chairman Conklin:

I'd like Mr. Miller's and Mr. Ling's opinions on the amendments.

Louis Ling:

This amendment ([Exhibit B](#)) is what we agreed to and the language is well done. We appreciate the nudge from the Subcommittee that helped us work out this model legislation. I want to talk about the one suggested change Mr. Miller and

I talked about. It begins on Section 8.1, page 6, and the last three words of line 44, which carry over to line 1, through the word "with." We'd like that stricken because that language is overly restrictive from what we agreed to. This language is intended to say the Nevada licensed wholesaler will have to get this information on page 7 from any wholesaler from whom he buys, or to whom he sells. The way this is written says it would unnecessarily restrict that to people who are not licensed in Nevada. This doesn't reach the full intent of what we had agreed to. It also conflicts with existing Nevada law because Nevada law requires that if you're going to sell in Nevada, you have to be licensed. By definition, half of the people this was intended to reach already have to be licensed. We're saying they wouldn't have to get this if they weren't licensed. In order to alleviate that conflict, we can strike the language I outlined and insert the word "from" after striking "with," and strike the "s" at the end of the word "licensees" so it's "from licensee." The ultimate intent would be the Nevada wholesaler must get this information from any wholesaler from whom he buys or to whom he sells.

[Louis Ling, continued.] In Section 8.2, the same language on line 34, the words, "who is not licensed pursuant to this chapter" should be stricken. Also, on page 8, starting on line 11, the last three words of that line carry over to the first five words of line 12. The last two times that language appears is on the bottom of page 8 on line 39, the last three words that carry over to line 40 to the end of the word "chapter," and the last two lines of line 40 which carry over into line 41 to the end of the word "chapter." That way, we've gotten all of those references to the licensure out of state because those would cause concern with the intent and existing law.

This bill will be a model for the nation. I applaud Mr. Miller and HDMA [Healthcare Distribution Management Association] for working with us because we ended up with the good ideas already in S.B. 37 plus more good ideas.

Robb Miller:

I echo most of the things Mr. Ling said with respect to making something better that was already good. It's an example of what can happen when regulators work with industry actors in an open forum. I have to echo Mr. Ling's characterization of the bill as being something that is model legislation that other states would take interest in.

In Section 8.1, subsection 5, it says what licensee receives and goes on about product liability and insurance that includes the licensee as an additional insured for at least \$1 million. There's no other state that's requiring this, and it's without a doubt a terrific piece of consumer protection because it gives the

consumer a means, in the event of any hospitalization, to obtain financial relief for those costs. There's no other state doing that at this time.

[Robb Miller, continued.] In Section 8.2, subsection 2, on page 8, beginning on line 4, it puts the responsibility on the wholesaler to make sure they're not doing business with people who are convicted felons. Based upon some past history over the last three years, many convicted felons have managed to get licensed into our industry.

In Section 8.3 is unique to our state. It would give Mr. Ling and Mr. McDonald the ability, through me, to reach across state lines and inspect other wholesalers, whether they're selling into our state or whether I'm selling out of our state to them. This is a means by which they can actually reach across state lines. Section 8.3, subsection 5, requires that I obtain a contract with that wholesaler, which also sets the tone with other wholesalers that they have to operate in a certain fashion with respect to compliance with laws and regulations at the federal level, their own state, and within ours.

The definition of Section 8.4 with respect to the way the authorized distributorship (ADR) is defined to give a lot of different options. It's very well defined in terms of what the expectations are. The only comment I have is about a regulation recently adopted by the Board of Pharmacy that dealt with the enforcement of S.B. 425 of the 2003 Legislative Session. In the bill we talk about reasonable assurance in terms of how a drug can be sold. At present, the law says if I purchase a prescription drug and I sell it to another wholesaler, that wholesaler then has to sell it to a dispenser. Under the current regulation, I have to find out how he's complying with that, and it can't just be I have to get his word in a contract saying that's what he's doing; I have to obtain something beyond that. In the course of our discussions, I asked for a break on that current regulatory framework. I went out to my current customer base, people I've already lost as customers as a result of this regulation, and told them what they can do to help me comply with this because I think the Board executives are willing to tweak this thing a little bit. Unfortunately, I haven't had success.

From their perspective, if I'm selling to a group of pharmacies in southern California, I may be direct with a manufacturer and buying their line, but I may also want to be a more full-line wholesaler buying my own line. I may not be able to access my own line directly because my line says we have enough distribution in your area and we're not going to do an opening. They may open me, however, and in order for that person in southern California to have a broader range of products, they're going to buy the product from me and distribute it to the pharmacies. If I say give me evidence that's what you're doing specific to your customers, they're going to say they're not going to buy

from me anymore, which is exactly what has happened. It seems logical that perhaps I could enter into an agreement with that southern California distributor and say I'm not going to pursue their customers, I'm doing this for the compliance of this regulation. It didn't matter, because he would then say he'd rather do business with someone else he can obtain that line from, even if he has to pay a little more and not have someone want to look at his books. It's a proprietary matter.

[Robb Miller, continued.] This is something that's important to me because I've already lost customers and I've already had to lay off some people. I don't want to lose more, and there are some who are teetering. It's this reasonable assurance language in terms of how things are sold after they go to the next wholesaler. I'm not really sure how we're going to cope with that. I know the Board spent a lot of time, money, and effort to develop these regulations, but I think most of this is a proposal compromise we all worked through, and the only thing I'm asking for is relenting on that reasonable assurance as it's written in the regulation at this time.

Chairman Conklin:

Where is this reasonable assurance clause in current statute?

Brenda Erdoes:

I believe it's in the regulation that the Board of Pharmacy adopted in the 2003 Legislative Session.

Chairman Conklin:

The terminology "reasonable assurance" is in regulation, or is it in NRS?

Louis Ling:

The reasonable assurance language originated in S.B. 425 of the 2003 Legislative Session, so it's in statute. We had to find a way to define what that meant, so that's what the regulations did. I represented to Mr. Miller in our email correspondence that there was no way in the time frame we have with S.B. 37 to address this now because it would be too much negotiation. I assured him that we will reexamine the regulation. I've asked him to give me some ideas and he went out to his customers and was trying to get those ideas for us.

On behalf of the Board, we don't have problems revisiting those regulations on this issue because this was a tough issue. Maybe we can come up with a different way to approach this. It's a great idea on paper; the problem is with the real-world implementation. Our intent with S.B. 425 was not for Mr. Miller

to lose customers, and I don't think he thought that would happen. I'd like to find a way to address and change that.

Chairman Conklin:

There was in Mr. Goldwater's mock-up ([Exhibit C](#)) a recommendation to have a wholesaler on the Board of Pharmacy, and I don't see that in here ([Exhibit B](#)). In light of the fact that Mr. Miller was not involved in the regulations making that, is there a representative from the wholesalers on that Board, and why shouldn't they have a voice on the Board?

Louis Ling:

The reason the Board of Pharmacy is concerned with that is we have 17 classes of licensure, and unless we wanted to have a designated Board member from each of those classes of licensure, which would make an unwieldy Board, having a wholesaler on the Board, [it would be unfair]. Of all our licensee classes, they have the least number of cases or involvement with the Board. They aren't major players in what the Board does on a regular basis. I proposed to Mr. Miller that wholesalers, with the medical device, equipment, and gas providers, because we license them also, we've set up a permanent committee of the Board of Pharmacy on which only those people serve.

We have one Board member on there, but the rest of them are members of that piece of the industry. They are considerably larger than the Nevada wholesalers in terms of the number of licensees, and they like working through that structure because they can bring to us in their subcommittee their concerns, changes in regulations they think need to be made, and we bring to them disciplinary cases sometimes, so they can help us understand how the industry works, because that's usually outside of our scope. I propose to Mr. Miller we do the same thing to wholesalers: form a permanent subcommittee of the Board of Pharmacy through which they could have a voice to the Board.

Chairman Conklin:

If you were to start today on working out regulations for "reasonable assurance," noting you've spent a year doing it already and it's potentially problematic for a particular industry, how long would it take you to iron out a new set of regulations?

Louis Ling:

We would be able to get to our July meeting and have the Board have a workshop. By early September, we could have it on for an actual regulation hearing. Since we're in temporary regulation season, it would become effective upon filing with the Secretary of State, and we'd have to re-pass it in October,

which wouldn't be a problem. Theoretically, we could have a regulation for them that would fix the reasonable assurance problem by September.

Assemblywoman Gansert:

There are a number of other wholesalers and 37 licensees, and there are 3 that are active all the time. Would any of these regulations put someone out of business? Is this overdoing it because we have a lot in here with inspections?

Robb Miller:

I don't believe so because there are so few of us left. I've had discussions with those who remain who are actively involved in significant pharmaceutical distribution. I didn't do this solely on my own, so I've had the blessing of others that I would consider competitors/colleagues on this bill at this point.

Assemblywoman Gansert:

Regarding the inspections, is there some consistent form you will devise because it talks about assessments of various things?

Robb Miller:

Absolutely, and with respect to this permanent subcommittee, I was willing to back off of the wholesaler on the Board because he put that out there. It would be through that subcommittee that such a form would be created.

Louis Ling:

That is precisely what we did with the medical devices, equipment, and gas providers. We sat down with them and developed an inspection form, and the committee actually came up with the final form that's being used to do their inspections. This was the industry helping us develop a form by which we inspect them. It would be a perfect place if we have that wholesaler committee to discuss that kind of thing.

Bill Uffelman, President and CEO, Nevada Bankers Association:

I was here today to make sure the amendment ([Exhibit B](#)) stayed in respect to the lenders. We're fine with this.

Chairman Conklin:

We'll close the public hearing on S.B. 37, and we'll open the work session on S.B. 37.

Assemblywoman Gansert:

I still have the concern that the bill is a barrier to entry and there are so many regulations. We have 37 licensed and 3 active players; no one is in opposition to this, but there are many regulations and requirements.

Chairman Conklin:

In Section 4, page 3 ([Exhibit B](#)), it's been changed to not less than \$25,000, but more than \$100,000, and we're speaking specifically to the bond, which is determined by the Board. What factors go into determining how much the bond needs to be?

Louis Ling:

Support staff would be looking for the weight you would give to that bond, which would be directly proportional to the risk to the public presented by the licensee. A licensee who's been licensed in many states for a number of years without any problems, and therefore doesn't seem to present any particular risk to the public, would probably be entitled to a lower bond than a start-up whom no one's ever heard of. If they have sketchy stuff on their application, but there's not enough there to deny them, you would let them come in and give them a chance to practice, but with a higher bond.

Chairman Conklin:

How many new wholesalers come into our state in a given year?

Louis Ling:

We have had zero over the last 4 years.

Chairman Conklin:

Is the industry not growing?

Louis Ling:

Since the states have all started looking at the industry, it is not growing. Florida has lost half of theirs. California has a bunch of them giving back their licenses. As states have started to regulate this, the very people Mr. Miller has said he doesn't want in his business have decided to go to other kinds of business. The barriers are working and the people who are coming in now in Florida and California are legitimate actors, and that's what we all want.

Chairman Conklin:

We absolutely want to protect our consumers; however, some of our restrictions go beyond consumer protection to become barriers to market entry for good actors, which can be counterproductive for consumers as well. We're leading the nation with a piece of legislation such as the one you originally presented; you've mentioned this one gets tighter. What's going to happen with this piece of legislation to an industry that helps consumers when the actors are good?

Louis Ling:

This was a big point of discussion, and we've set up an industry norm. The reason you haven't received any opposition from the major wholesalers, the various pharmacy chains, and the manufacturers is because they're already doing this. This isn't getting in the way of legitimate wholesaling, but, rather, it's saying the business in Nevada must be following industry norms. We're not keeping anybody out of this with this bill that we wouldn't otherwise want in our state; we are keeping out the people no one wants in their states. This bill strikes a good balance. We are the fastest-growing state in the country, and we're one of the fastest-acting pharmacy boards in the country. We don't want to keep people out of business in Nevada; we want them in good business.

Chairman Conklin:

I still have a lot of concerns with this bill, but I want to move this out of our Subcommittee and get it to the entire Commerce and Labor Committee. I don't have any experience in the wholesale and pharmaceutical arena to decide if it's too restrictive or not restrictive enough, so we need some additional help from more Committee members to decide that.

It's my intention to take this mock-up ([Exhibit B](#)) with the proposed changes of both parties, and I'm speaking specifically to Section 6.5, where we added the end to another wholesaler and the changes on who is not licensed pursuant to this chapter in the following sections of the bill, and make a recommendation that the Committee consider this for passage in full at the next work session. The concerns of Mr. Miller on reasonable assurance, I can absolutely understand. I would like to reserve my right to look into it over the next couple of days. I'll ask Research to give me minutes on the hearing on S.B. 425 of the 2003 Legislative Session and a copy of the regulations that have been passed and that used reasonable assurance as its enacting or enabling regulation. I reserve the right to make a single recommendation to the Committee, although it's just one person, based on what I find.

Assemblywoman Gansert:

I'll help you look at the information, too.

ASSEMBLYWOMAN GANSERT MOVED TO RE-REFER
SENATE BILL 37 TO THE FULL COMMERCE AND LABOR
COMMITTEE WITH THE DISCUSSED AMENDMENTS ([EXHIBIT B](#)).

CHAIRMAN CONKLIN SECONDED THE MOTION.

THE MOTION PASSED.

Chairman Conklin:

I have requested information on this "reasonable assurance" part we are unfamiliar with, and I reserve the right to come forward with a possible amendment on that. We'll recommend this goes to work session on Friday. We're adjourned [at 3:17 p.m.].

RESPECTFULLY SUBMITTED:

James S. Cassimus
Transcribing Attaché

APPROVED BY:

Assemblyman Marcus Conklin, Chairman

DATE: _____

EXHIBITS

Committee Name: Committee on Commerce and Labor

Date: May 17, 2005

Time of Meeting: 2:10 p.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
S.B. 37	B	Senator Valerie Wiener, Clark County Senatorial District No. 3	Proposed Amendment to Senate Bill 37.
37	C	David Goldwater, Caladon Health Solutions, Las Vegas, Nevada.	Proposed Amendment to Senate Bill 37.