

**MINUTES OF THE MEETING  
OF THE  
ASSEMBLY COMMITTEE ON HEALTH AND HUMAN SERVICES**

**Seventy-Third Session  
May 25, 2005**

The Committee on Health and Human Services was called to order at 2:55 p.m., on Wednesday, May 25, 2005. Chairwoman Sheila Leslie presided in Room 3138 of the Legislative Building, Carson City, Nevada, and, via simultaneous videoconference, in Room 4406 of the Grant Sawyer State Office Building, Las Vegas, 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:**

Ms. Sheila Leslie, Chairwoman  
Ms. Kathy McClain, Vice Chairwoman  
Ms. Sharron Angle  
Ms. Susan Gerhardt  
Mr. Joe Hardy  
Mr. William Horne  
Mrs. Ellen Koivisto  
Mr. Garn Mabey  
Ms. Bonnie Parnell  
Ms. Peggy Pierce  
Ms. Valerie Weber

**COMMITTEE MEMBERS ABSENT:**

None

**GUEST LEGISLATORS PRESENT:**

None

**STAFF MEMBERS PRESENT:**

Barbara Dimmitt, Committee Policy Analyst  
Linda Ronnow, Committee Attaché

**OTHERS PRESENT:**

Robert Desruisseaux, Community Advocate, Northern Nevada Center for Independent Living; and Chairman, Strategic Plan Accountability Committee

Mick Coleman, Administrator, Nevada Rehabilitation Division, Department of Employment, Training, and Rehabilitation, State of Nevada

Retta Dermody, Director of Programs and Services, Nevada Parents Educating Parents, Las Vegas, Nevada

Flo LaRoy, Private Citizen, Las Vegas, Nevada

Gillian Wells, Transition Director, Nevada Parents Educating Parents, Las Vegas, Nevada

Todd Butterworth, Chief, Office of Disability Resources, Department of Human Resources, State of Nevada

**Chairwoman Leslie:**

[Meeting called to order and roll called.] I will open the hearing on S.B. 22.

**Senate Bill 22 (2nd Reprint): Makes various changes concerning certain programs and services for persons with disabilities. (BDR 38-689)**

**Robert Desruisseaux, Community Advocate, Northern Nevada Center for Independent Living; and Chairman, Strategic Plan Accountability Committee:**

Senate Bill 22 contains recommendations to create an advisory board to advise the various players who provide a piece of transitional services in the community on ways to better provide that service. Transitional services are made up of a lot of different players. As children move from the school setting into a work setting, the players can be any array from the educational setting, the school districts, vocational rehabilitation, as well as private partnerships within the community—businesses and nonprofits.

This would create an advisory board to make recommendations to these various bodies and pull them all together. It would be the thread that holds all these stakeholders together and would provide some continuity in the delivery of transitional services.

There has been quite a bit of discussion on transitional services for the last ten years, and the system—in the eyes of many of the advocates and parents of children transitioning—has not really improved much. This is a way to look at

the problems and advise the various stakeholders on how to improve this system. The board would be housed within the Office of Disability Services. We also feel that is important, because the Office of Disability Services is a neutral player with regard to transitional services, rather than the oversight being provided by one of the primary providers of transitional services.

[Robert Desruisseaux, continued.] There are a couple of fiscal notes attached to this bill. One is from the Office of Disability Services, which would provide for some of the staffing. They have staff now that they could utilize for the task necessary for the transition board; however, those positions are funded through dollars that would not allow them to do this type of work. It would require some additional funding to fund those positions to do this particular work.

The other fiscal note is from the Department of Employment, Training and Rehabilitation, and that is to upgrade their systems and collect additional data on transitional services. I am in support of S.B. 22, and the Strategic Plan Accountability Committee is also in support. However, the fiscal note from the Department of Employment, Training and Rehabilitation concerns me only in that the bill itself does not specifically require any additional data. It is quite possible, as this board moves forward and examines the issues surrounding transitional services, that those recommendations would be made, but at this time they are not. These transitional services are required by the Department for compliance with the Federal Rehabilitation Act, and if that is the case, then those funds from rehabilitation should be used to provide that data.

**Chairwoman Leslie:**

We are not going to debate the fiscal side. We do know that the bill did go to Senate Finance, and they have already presumably approved the money that's in the bill. Let's leave that part of it alone, and go back to the policy side. Do you have anything else that you want to get on the record?

**Robert Desruisseaux:**

No, that pretty much summarizes it.

**Chairwoman Leslie:**

I am a little confused about the target population. Is it all persons with disabilities, with a special focus on youth?

**Robert Desruisseaux:**

Transitional services are provided to children, ages 16 to 22, with disabilities. All children with disabilities within that age range do have a right to transitional services. What funds those and how that is done may differ, whether these children are under 504 with the Rehabilitation Acts captured within that, or

whether they're not. What that means is that if you have a child with a disability but doesn't necessarily require special education, he still has a right to some transitional services.

**Chairwoman Leslie:**

Do you have any idea how many people fall into that category in our state?

**Robert Desruisseaux:**

No, I do not.

**Assemblyman Mabey:**

How does services to the blind fall into this category?

**Robert Desruisseaux:**

I would hate to mislead you, so maybe I can refer this question to someone other than myself to answer.

**Mick Coleman, Administrator, Rehabilitation Division, Department of Employment, Rehabilitation, and Training, State of Nevada:**

On the question related to the services for the blind, transition is used in a number of different ways, depending upon legislation. With the special education, with IDEA [Individuals with Disabilities Education Act of 2004] and how it connects to vocational rehabilitation, those are involved in this. To your specific question on services to the blind, we are working with the schools to serve students for the blind who may not be in special education. These are students who are legally blind in the school district, and we are working to improve that connection.

You had a question on the special education numbers. In the data that the Department of Education has that's revised every year, for students 15 and over in Nevada, there are over 10,000 students in special education. In Clark County, they have over 6,600.

**Assemblywoman Weber:**

Within the stakeholders on this Committee, does that include the WIA [Workforce Investment Association] board, especially the transition service part of it, for these young adults seeking vocational training?

**Robert Desruisseaux:**

A member of the Workforce Investment Board would be an appointed member of this board. I believe that is on page 4, line 1 of this bill.

**Assemblywoman Gerhardt:**

I think the idea of tying all these agencies together to assist young people transitioning is a great one, but what about adults who become disabled, who also need transition services? Is there a mechanism to take care of them as well?

**Robert Desruisseaux:**

Transition services, by definition, are just for individuals within that 16- to 22-year-old gap. If you had an adult who acquired a disability and needed to reenter the workforce, there is a system in place to do that, and that is vocational rehabilitation to assist them in getting back into the workforce. The difference or complication with transition services is that there are so many stakeholders involved. There are so many pieces of that puzzle, and no one piece has a direct responsibility to another one of those pieces. In other words, a business in the community or a nonprofit organization that is providing some support services to assist that individual to transition into the workforce doesn't necessarily have any authority over or responsibility to one of the other players, such as vocational rehabilitation or the school district.

One exception that I am aware of would be the vocational rehabilitation and the school districts having a partnership, agreements, or a contract that outlines what the responsibilities of each body would be in transitioning students. Outside of that, there isn't really any continuity or string holding them all together.

**Assemblywoman Parnell:**

In the Carson City School District—moderate-sized, decreasing population—our special education population is ever-increasing, and right now about 15 percent of the entire student population are students in the identified special education program. Those numbers seem to be increasing pretty steadily year-to-year.

**Robert Desruisseaux:**

The numbers that we've been given, with regard to the number of children in special education, is only a portion of the children who would benefit or could benefit from transitional services. Those are individuals who are in special education. There are a great number of children with disabilities who do not require special education, who are going through mainstream education. The numbers are even a little higher than the data that we have available to us.

**Mick Coleman:**

We have really worked hard in this last year to have interlocal agreements with each of the 17 school districts, between vocational rehabilitation and the school districts. We have also identified counselors at every high school. In the south,

we have some dedicated counselors who are working with the Clark County School District. In the north, there's a go-to person or a contact. Most of these agreements have been in place for a year, and so as part of that agreement, over the course of the next couple of months, we'll meet with each school district and talk about how it is going, what needs to improve, and steps we can take to move that forward.

[Mick Coleman, continued.] Terry Johnson faxed his testimony ([Exhibit B](#)), and I am here on his behalf. In this testimony, we go on record to support S.B. 22. It also mentions the fiscal note regarding the legislation, and we are in a position where we want to withdraw that fiscal note. We want to go on record that the intent here is that it's based on existing data and management information systems for the Rehabilitation Division. We will work within our capabilities, and if there are any questions or needs, feel free to contact us.

**Retta Dermody, Director of Programs and Services, Nevada Parents Educating Parents, Las Vegas, Nevada:**

I am here before you in support of S.B. 22. We believe S.B. 22 is vitally important legislation, which would allow for the creation of an interagency advisory board on transition services. Senate Bill 22 will be an important first step in improving the transition services that our youth with disabilities receive in Nevada.

National statistics report that two years after completing high school, youths with disabilities continue to experience higher rates of unemployment than their peers. Three to five years post-high school, one in five youths with disabilities were not employed and were no longer seeking employment. Fourteen percent of today's youths with disabilities—compared to 53 percent of youths without disabilities—were enrolled in post-secondary education. Further national research goes on to cite teachers' reporting of the absences of linkages between school systems and adult services. In a national survey conducted by the Study of Personnel Needs in Special Education, teachers report that more than half of the teachers rarely, if ever, coordinated referrals to adult service providers.

In an issue brief from the National Center on Secondary Education and Transition, it states that schools with human service agencies responsible for serving individuals with disabilities have typically operated in isolation or from uncoordinated agendas. This issue brief goes on to explain that many educational and agency personnel have neither access to outside agency information, nor experience in working with other agencies. Therefore, they cannot access youth and families in analyzing the interface between benefits,

employment, and reporting and eligibility requirements within and across agencies.

[Retta Dermody, continued.] Even though research indicates that across-agency collaboration is the key to unlocking the success for students with disabilities, we continue to operate with disjointed services. As a parent of a young adult with disabilities who was dropped from services, I can tell you how confusing and frustrating the transition process can be. There were many nights my husband and I weren't sure what my daughter was going to do after high school. We had to listen to her cry. Where was she going to go? What would she do? What would she become? This weight was very heavy on my husband and myself, but after years of watching her struggle in different systems, she finally came into her own, and today she is a college student at UNR [University of Nevada, Reno], who works and lives on her own.

Identification of the problem is the easy part. The difficult part is what we choose to do with the problems we found. So, I pose this question to you: now that we have identified the problem, what are we going to do about it to prepare our youth for their future? We appreciate all that you have done in the 72nd Legislative Session, and will do in the current session, on behalf of our children with disabilities.

**Assemblyman Horne:**

I was looking at the number that they have on the advisory board. There are 15 members, and that seems to be large. I would like the board to be effective, and it seems when they get larger, they become less effective.

**Robert Desruisseaux:**

I would agree that 15 is a large number; it is something to be concerned with. However, I would also point out that the majority of these identified were people who stepped forward who wanted to be a part of that process. Through a lot of discussions through the transition forum, as well as the Strategic Plan Accountability Committee, I think we are all in agreement that everyone who has representation on this list is all on the same playing field. They all have the same goal in mind and the same focus. I believe that it can be quite effective and can move forward.

On a personal experience, in the development of the 10-year strategic plan, there were upwards of 100 people involved in the development. All of those individuals had the same goal in mind and had the same focus, and that process actually moved quite well. When all the players involved are on the same track and all have the same goal, then that's not such a detriment to any progress.

**Assemblyman Horne:**

If this were to be cut down some, is there a risk of somebody's particular interest not being covered? Is somebody's interest not going to be represented? I am a member of the Homeland Security Commission, and everybody throughout the state wants to be involved, but eventually we had to cut that down, because there were just too many of us.

**Robert Desruisseaux:**

The answer is yes. Each of these bodies brings forward a particular perspective on transitional services. One is the Nevada PEP [Parents Educating Parents], which is an organization of parents with children with disabilities, who have a great deal of experience with the school districts themselves and with IEPs [individualized education plans]. Another would be Nevada Disability and Advocacy Law Center. Their expertise is what is required under various federal laws, which would cover transition. In addition to that, they also have a particular focus and expertise in mental health. I think that each one of these brings a unique perspective, and I think it is necessary that we have all of those perspectives, because this is a large task.

Transitional services are made up of so many different stakeholders. Each one of these stakeholders is providing a unique service, or part of a service, for the transitional services. The problem is big and complicated, and I think the solution is that it's going to be unavoidable to do it correctly and effectively. It is such a large issue, with so many variables to it, that I think you need all of those perspectives in order to properly cover it.

**Flo LaRoy, Private Citizen, Las Vegas, Nevada:**

I am here on behalf of my son, Jeff. He is almost 21, and he still receives services through the school district. He is also a client of the vocational rehabilitation and has a caseworker there. He is supposed to be receiving services through an employment service agency, and we have gone through four job developers. It is now one year later since this has all been initiated, and he has no job. Today, I have a tutor going with him into our neighborhood to seek out potential employment for him. We are at the level of getting job experience, because he has not had the opportunity to be employed in a work situation. He volunteers one day a week for the UNLV [University of Nevada, Las Vegas] law library. He is also a client of the Desert Regional Center, and we have had a meeting with them regarding services for Jeffrey. They were supposed to provide us with some respite services, as well as some in-home training, to help make him more independent for the future and, potentially, living on his own.



[Flo LaRoy, continued.] Those services were very welcome. I was excited about receiving those services, and I was told one week later that there was no money in the budget for those services, and they would put us on a waiting list. Currently, my son is receiving no services except what I provide for him and the hours that I am allocated through the school district. He sits at home when he's done with his chores and activities that I have given him for the day. He will watch television and play video games unless I am home, in which case we then go out into the community and try to do some activities. He is spending a lot of downtime, and with that downtime comes a lack of self-worth. His esteem goes down, and I notice when we go out again into the community he begins to pep up some. I feel that I am doing all the work.

We work with up to seven different entities to provide services for my son to try to make it work, so that he can be independent in the future. I am nearing retirement and I need to have my son at a place where I can feel that I can let go, and that is not happening. We have some private service providers that do provide him some mental health services. We are involved with VR [vocational readiness], the school district, and the employment agency. We are supposed to be with Holdsworth Services for in-home, and I also coordinate private tutor services for him.

**Chairwoman Leslie:**

I am assuming from your testimony that you would be in favor of this bill, because you feel like this advisory board would be able to articulate these kinds of concerns to the State and get a better response for people like your son?

**Flo LaRoy:**

Absolutely. Most of the parents I know are doing the work for the agencies. They're actually going out and finding jobs and services for their young adults, and we have services that are supposed to be serving families, not the families serving their children. I know we have to work together; however, when the burden of the task is on the family, it becomes very difficult.

**Chairwoman Leslie:**

You might want to go back and check with the agency, because the budget that we closed did include quite a bit of money for new caseload growth. For some of those services where they put you on the waiting list, you might want to call back and say, "As of July 1, I understand there's going to be more money. How soon can they get those services in place?"

**Gillian Wells, Transition Director, Nevada Parents Educating Parents, Las Vegas, Nevada:**

As you have heard from Retta Dermody and Flo LaRoy's stories, transition is very difficult. It's not only difficult for the youth who is involved, but also for the families as well, trying to coordinate all of these different services. You can see why it is necessary on S.B. 22 to have all the different players at the table, so that we can help the services, which often appear to be splintered, to become seamless systems.

If you look at statistics in Nevada and look at eleventh graders with our proficiency exam, in the area of reading, regular education students failed at a rate of 24.8 percent, and for individuals with special needs, the rate was 77.9 percent. If you look at math, for individuals with no disability, the rate was 44.9 percent, and for individuals with disabilities, the rate was 89.1 percent. Our kids are graduating at a rate that is so much lower than individuals without disabilities. Seventy-one percent of students without disabilities graduated with a regular diploma, while only 16 percent of individuals with disabilities graduated with a diploma.

This is enormous. These individuals are our future. As stakeholders, we need to come together. We have identified it for years as an issue that needs to come to the table. We need to figure out some resolution and some creative ways to work together. I believe that the natural outcomes of S.B. 22 will impact the future of youths with disabilities throughout this state for years to come. It's an investment that I would truly buy into.

**Robert Desruisseaux:**

As I am looking at those 15 representatives on this proposed board, I think the better answer for Assemblyman Horne's question is that there are a lot of stakeholders or players who provide transitional services. They each bring a particular specific piece of transitional service to the consumer. They each provide a unique service or assistance to that individual, as well as perspective, whether it's the individual or their parents. I think that each of these is necessary in order to fully capture all the players involved with transitional services.

**Todd Butterworth, Chief, Office of Disability Resources, Department of Human Resources, State of Nevada:**

I just wanted to go on record to say that we definitely support this bill. It's an idea whose time has come. Transition is one of those points in the disability services continuum that is absolutely key. If we can help kids who are getting ready to transition into adulthood and set them up for success, whether it is in school, work, or living independently, chances are that those individuals will live

more independently and hopefully be less dependent on social services later in their lives.

[Todd Butterworth, continued.] It's been my observation that if we can do a great job in any one area of disability services, this is probably the area that I would choose to focus on. If we can get the schools, our office, vocational rehabilitation, and other key agencies working together, I think it's going to make a huge difference in the service that is needed to be provided by so many other social services. We are honored to be involved in this and look forward to working with this group of people.

**Chairwoman Leslie:**

I think in a lot of human service areas, we're seeing those transition years, which are so important with foster kids and with the severely mentally ill transferring from the juvenile system to the adult system. I think we need to put a lot more emphasis on that, because if we don't get them started well into a young adulthood, too often they end up with the criminal justice system and in all sorts of difficult situations.

**Todd Butterworth:**

It seems to be a lost opportunity if we don't take advantage of it.

**Chairwoman Leslie:**

I will close the hearing on S.B. 22.

ASSEMBLYMAN HORNE MOVED TO DO PASS SENATE BILL 22.

ASSEMBLYMAN HARDY SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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**Chairwoman Leslie:**

There being no further business, the meeting is adjourned [at 3:31 p.m.].

RESPECTFULLY SUBMITTED:

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Paul Partida  
Transcribing Attaché

APPROVED BY:

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Assemblywoman Sheila Leslie, Chairwoman

DATE: \_\_\_\_\_

**EXHIBITS**

**Committee Name:** Committee on Health and Human Services

**Date:** May 25, 2005

**Time of Meeting:** 2:55 p.m.

<b>Bill</b>	<b>Exhibit</b>	<b>Witness / Agency</b>	<b>Description</b>
	A	*****	Agenda
<u>S.B.</u> <u>22</u>	B	Terry Johnson / Department of Employment, Training, and Rehabilitation	Written testimony faxed to Chairwoman Leslie (1 page)