

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON WAYS AND MEANS**

**Seventy-Third Session
March 14, 2005**

The Committee on Ways and Means was called to order at 8:34 a.m., on Monday, March 14, 2005. Chairman Morse Arberry Jr. presided in Room 3137 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. Morse Arberry Jr., Chairman
Ms. Chris Giunchigliani, Vice Chairwoman
Mr. Mo Denis
Mrs. Heidi S. Gansert
Mr. Lynn Hettrick
Mr. Joseph M. Hogan
Mrs. Ellen Koivisto
Ms. Sheila Leslie
Mr. John Marvel
Ms. Kathy McClain
Mr. Richard Perkins
Mr. Bob Seale
Mrs. Debbie Smith
Ms. Valerie Weber

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

William Horne, Assembly District 34

STAFF MEMBERS PRESENT:

Mark Stevens, Assembly Fiscal Analyst
Steve Abba, Principal Deputy Fiscal Analyst
Carol Thomsen, Committee Secretary
Susan Cherpeski, Committee Secretary

Chairman Arberry called the Committee to order at 8:34 a.m. and opened the hearing on [A.B. 99](#).

Assembly Bill 99: Makes appropriation to Department of Administration for support of Southwest Defense Alliance and for Nevada's representative serving on Alliance. (BDR S-1211)

Dennis George introduced himself to the Committee and stated he was one of three Nevadans who served as members on the Board of Directors for the Southwest Defense Alliance. He indicated that the other two members, Ashley Hall and Frank Tussing, were from Las Vegas.

Mr. George said he would provide background information regarding the Southwest Defense Alliance and would ask for the Committee's support of A.B. 99.

According to Mr. George, the Alliance had originally been formed in 1997 with five western states: 1. California; 2. Nevada; 3. Arizona; 4. Utah; and 5. New Mexico. During the past year, said Mr. George, Texas had become a member of the Alliance. Essentially, the purpose of the Alliance was to educate and inform the public about the merits of the defense complex that existed within the southwestern states. Mr. George indicated that military training took place largely in the southwestern United States, which was called the "Southwest Defense Complex," and Nevada played a major role in that training with Nellis Air Force Base and Fallon Naval Air Station, with their respective bombing and gunnery ranges, the Nevada Test Site, the Hawthorne Ammunition Depot, the Nevada National Guard, and Homeland Security.

Mr. George said the Alliance had three purposes:

1. Advised and educated the public.
2. Ensured that the legislative bodies that were in control of protecting and defending the facilities within the complex received the necessary information and support.
3. Advocated for the preservation of those training complexes on behalf of the nation.

Mr. George advised that the three members from each state, appointed by their respective Governors, met quarterly, and the Nevada representatives had been funding their own travel. Each of the other four original states had contributed state funds to the budget for the Southwest Defense Alliance in the amount of approximately \$100,000 per year. Mr. George pointed out that, to date, Nevada had not contributed to the Alliance. He explained that A.B. 99 would fund the Alliance at \$20,000 per year for each year of the biennium, and the remaining \$10,000 would reimburse the travel of the three Nevada board members and assist with expenses when Nevada was the meeting host in the rotation over the biennium.

Mr. George stated that was the background of the Alliance, and his colleagues on the Southwest Defense Alliance would appreciate the Legislature's support.

Assemblyman Seale asked whether the members of the Board of Directors for the Alliance were paid a per diem. Mr. George replied that they were not, and he reported that members received no compensation whatsoever at the present time. He stated that A.B. 99 would fund reimbursement of travel expenses.

Assemblywoman Giunchigliani asked whether the Alliance had applied for grants or funding from the Department of National Homeland Security or the Nevada Homeland Security Commission. Mr. George did not believe that the Alliance would be entitled to funding via those agencies. He explained that the Southwest Defense Alliance was a public benefit, nonprofit corporation, but he would certainly check and see if the Alliance would have any funding opportunities with those entities. Ms. Giunchigliani said that might be an area

where the Alliance could secure funding without the state entering into the funding of a nonprofit organization.

Assemblyman Marvel asked who would administer the funds. Mr. George replied that the funds would be part of the Department of Administration's budget, managed by the Governor's Office. He pointed out that A.B. 99 required detailed reporting and also required that any funding not spent would revert to the General Fund. Mr. Marvel asked whether the requested \$50,000 was included in The Executive Budget, and Mr. George replied that it was.

Assemblyman Hogan stated he was not familiar with the Alliance, and he asked if the main purpose was to gather and disseminate information regarding whether or not to reduce military establishments. Mr. George said the purpose of the Alliance leaned more toward gathering and disseminating information regarding not reducing the size of military establishments. He explained that it was clear that the defense capabilities, in terms of national defense for the United States, depended very heavily on the training areas available off the coast of California and within the inland states, for bombing and aerial training, and ground maneuvers. Mr. George said the Alliance essentially advocated on behalf of the best interests of the country. Because each state had a vested interest, Mr. George stated it was useful for leaders in Nevada to know what was going on in the other states, and the three Nevada representatives gathered valuable information when they attended the meetings. Specifically, said Mr. George, the Nevada Test Site was critical to the defense of the nation, and with Homeland Security training now taking place at the Nevada Test Site, the Alliance would like to ensure that the site was recognized, encouraged, and perhaps developed rather than reduced.

Mr. Hogan asked whether the Alliance played an advocacy role rather than a neutral gatherer of data. Mr. George replied that was correct.

Assemblyman Seale asked whether the Alliance qualified under *U.S. Code* 501(c)(3) as a tax exempt agency. Mr. George assumed that it would, as it was a public benefit, nonprofit corporation, and he believed it would qualify under 501(c)(3).

Assemblyman Denis asked for clarification regarding the request for \$20,000 each year of the biennium and an additional \$5,000 each year for travel expenses, for a total of \$50,000 over the biennium. He asked how the \$20,000 allocation would be used each year. Mr. George explained that the only existing funding for the Alliance was the amount contributed from the member states, and the current request was the first time the Alliance had asked the state of Nevada to contribute to the maintenance and sustenance of the organization. Mr. Denis asked whether the funding was basically used to run the organization. Mr. George stated that was correct, and Nevada had not contributed to the Alliance in the past. He referenced [Exhibit B](#) which contained documents and background information regarding the organization.

Mr. Denis asked for clarification regarding the travel funds, and whether that would be for travel to and from meetings for the three board members. Mr. George indicated that was correct. He explained that each quarter the member states took turns hosting the meetings and each individual was responsible for their own travel expenses. Mr. Denis asked how many states were involved in the Alliance. Mr. George replied that six states were currently members of the Alliance.

Assemblywoman Giunchigliani advised that in order for the Committee to consider the funding requested in A.B. 99, it would need to see an actual budget regarding how the money would be expended. She opined that it was very unusual for the Legislature to fund a nonprofit organization. Ms. Giunchigliani advised that the Committee would require some background information, such as who participated, how a person was selected, the costs of travel and the locations, et cetera. Mr. George said that information had been closely coordinated with the Governor's Office. Ms. Giunchigliani indicated that the Legislature did not know about the budget, and since it had to make the decision regarding whether to approve the request, the Committee would like to see the budget. Mr. George believed that the breakdown would be \$20,000 per year to the organization. Ms. Giunchigliani said the Committee wanted the actual expenditures regarding where and how that money would be expended, and copies of any audits that had been conducted regarding money that had been provided in the past. Mr. George stated he would provide that information.

Chairman Arberry asked whether there was further testimony forthcoming regarding A.B. 99, and hearing none, declared the hearing closed. The Chair opened the hearing on A.B. 41.

Assembly Bill 41 (1st Reprint): Makes appropriation for support of Mental Health Court in Clark County. (BDR S-812)

William Horne, Assembly District 34, thanked the Committee for the opportunity to present A.B. 41. Assemblyman Horne stated that he had witnessed the problems related to mental illness and had been deeply saddened. He advised that he had sponsored similar legislation during the 2003 Legislature, however, he had been unable to secure State funding for the mental health court in Clark County. Mr. Horne advised that he served on the Mental Health Task Force, where a diverse cross-section of the community had participated in trips to San Bernardino, California, to witness that city's mental health court in action. At that time, he had been privileged to sit on a seminar with the Honorable Judge Chow from King County, Washington.

Fortunately, said Mr. Horne, people such as the Honorable John McGroarty, the Honorable Kathy Hardcastle, and the Honorable Jackie Glass from the Eighth Judicial District Court, Clark County; the Honorable Peter Breen from the Second Judicial District Court, Washoe County; Rick Loop and Ben Graham representing the Clark County District Attorney's Office; Undersheriff Doug Gillespie from the Las Vegas Metropolitan Police Department; Dan Musgrove from Clark County; and many others, had been very resourceful and dedicated to the creation of mental health courts. Mr. Horne advised that through use of the monies realized from passage of A.B. 29 of the Seventy-Second Legislative Session and grant funds, those persons had been able to start the mental health court program in Clark County. The mental health court program that had been created was extremely successful, however, the court could not continue to succeed and excel using those same funding mechanisms.

Mr. Horne explained that mental health courts were very valuable to the communities because they served to direct individual offenders, who were in need of mental health services, to the appropriate mental health facilities. The facilities that were not appropriate were the county jails and the many emergency rooms that were clogged with those individuals in need of mental health treatment. Mr. Horne said treating those people in the jails or the emergency rooms was not cost-effective, nor did it properly serve their need for psychiatric help. He opined that not funding the Clark County Mental Health

Court would be a disservice to those persons and the tax-paying community. Simply put, said Mr. Horne, it would be much cheaper to fund the mental health court than to throw good money after bad by housing the people in need of mental health services in jails and emergency rooms. According to Mr. Horne, that fact had also been recognized by Governor Guinn, who had made an impromptu appearance before the Assembly Committee on Health and Human Services when A.B. 41 had been heard by that Committee. Governor Guinn asked for that Committee's full support of the bill.

Mr. Horne thanked the Committee for allowing him to present A.B. 41, and he pointed out that Section 2 of the bill directed the appropriation to the budget account for the Southern Nevada Adult Mental Health Services (SNAMHS). He advised that would be consistent with the funding for the northern Nevada mental health court.

Assemblywoman Giunchigliani referred to Mr. Horne's statement that Governor Guinn had made an impromptu appearance before the Assembly Committee on Health and Human Services, and she wondered whether the Governor had mentioned where the money might be found within The Executive Budget to fund mental health courts. Mr. Horne said that at the aforementioned meeting, Governor Guinn advised that he had not put funding in the budget for mental health courts, primarily based on priorities and because not all issues could be funded via the budget process. The Governor voiced his support for A.B. 41 and asked for support from the Legislature.

Ms. Giunchigliani indicated she appreciated that, but as Mr. Horne was aware, many "pet" projects had been funded via the budget, and she believed that mental health court funding should have been a higher priority. She was glad the Governor was supportive, so there would be no objections to taking money from another budget to fund mental health courts.

The Honorable Jackie Glass, Eighth Judicial District Court, introduced herself to the Committee and advised that Mr. Horne had basically explained the purpose of A.B. 41. She referenced Exhibit C, which was a packet of information pertaining to the Clark County Mental Health Court. Judge Glass asked the Committee to support the bill, and she pointed out that the March 14 edition of the *Las Vegas Review Journal* reported that the Clark County Detention Center was so overcrowded that people were sleeping on cots. The population of the jail had grown by 11 percent and the population of Clark County had grown by 6 percent. Judge Glass indicated that the mental health court program would remove people from the jail, place them in the program, encourage them to take their medications and undergo therapy and, hopefully, would help those persons become productive, law-abiding citizens.

Judge Glass referenced Exhibit C and pointed out that the cost of housing a person in jail was \$3,060 per month, the cost of placing a person in prison was \$3,437 per month, and the estimated monthly cost for a person in the mental health court program was \$898 per month. The requested funding in A.B. 41 would be administered by the SNAMHS and would be used for housing, case management workers, skills training, and therapy. Judge Glass said it was a comprehensive program and the money was needed for all of those things.

Judge Glass referenced the packet entitled, "Clark County Eighth Judicial District Court – Mental Health Court," which pointed out the impact of the program to date. She stated that 12 months prior to being in mental health court, the 33 consumers had spent 3,527 days in jail. After those consumers had been in the mental health court program, the number of days spent in jail

was reduced to 777 days, which included both new arrests and jail time being used as a consequence of the program. Judge Glass pointed out that the number of days spent in jail for new crimes was 374, which indicated that the impact of the mental health court on the number of days spent in jail had been significant.

Between the costs and the outcome of the program, Judge Glass believed that the program would go a long way toward helping the people who were crowding the jails and emergency rooms, and who were homeless on the streets committing crimes to become productive citizens once again. It would also be a cost-effective approach to the problem, and Judge Glass urged the Committee's support of A.B. 41.

Assemblywoman Giunchigliani asked whether there was still a problem regarding persons who were placed in jail being able to access their medications prior to placement in the mental health court program. She had heard from several judges that the concern was how to ensure that persons were given their medications. Judge Glass reported that there was a full-time psychiatrist at the Clark County Jail, along with a team of social workers and nurses. She indicated that jail officers had also received training so that when a person was brought to jail who claimed to be on medications, the officers had a process to deal with that situation. Judge Glass said the doctor would evaluate the person and make an independent determination regarding the person's needs and would prescribe the necessary medications.

Ms. Giunchigliani asked what would occur if a person was in possession of a prescription for medications, and would that person be required to go through the full evaluation in that case. Judge Glass believed that the doctor was required to independently evaluate each person, and since the doctor was also on staff at the SNAMHS, he could evaluate persons and place them on the proper medication. Even if the person was not in the mental health court program, that person could continue receiving medications from the SNAMHS because the doctor was part of the staff.

Ms. Giunchigliani asked about the delay time, and why a person had to remain in jail for 3 days waiting for an evaluation if that person had a prescription that could be filled. Judge Glass reiterated that the psychiatrist worked in the Clark County Jail on a full-time basis and if persons said they were taking medications, staff would immediately deal with that issue.

Assemblywoman Leslie indicated that she was familiar with the problem in Washoe County, which was that the jail and the State used a different drug formulary. Judge Glass stated that she had solved that problem in Clark County. Ms. Leslie asked whether the local jails in Clark County and the State utilized the same formulary. Judge Glass explained that when she became involved in the program, she found that the Clark County Jail was using an old formulary, which differed from the State's formulary. She had spoken to representatives from the drug companies and they had provided the jail with samples of needed medications until the formulary could be changed with the new contract. Judge Glass reported that the Clark County Jail medication formulary was now consistent with that of the State and Lake's Crossing Center, and the jail could provide the necessary medications.

Ms. Leslie asked whether the Clark County Jail contracted out for psychiatric services. Judge Glass said that the jail contracted out the entire medical service area, which included psychiatric services. She stated that she had been a member of the committee that had chosen the company who was providing

those services, and her issue had been the formulary. Ms. Leslie asked for the name of the company. Judge Glass said she could not remember the name of the company. Ms. Leslie said that *The New York Times* had recently run a series of articles regarding the companies that were buying and selling each other, and were actually consolidating. Judge Glass said she would provide information regarding the company to Ms. Leslie. She explained that she, with the assistance of the Captain at the Clark County Jail, had gone through the entire process regarding the proposals in order to ensure that the formulary at the jail matched that of the State. Ms. Leslie stated that was a huge step forward.

Vice Chairwoman Giunchigliani noted that Judge Glass had stated that the money allocated by A.B. 41 could be used for housing, case management workers, et cetera, and she wondered whether it could also be used for medication. Judge Glass believed that the medication would be provided via the budget for the SNAMHS. Vice Chairwoman Giunchigliani said at some point the Committee should discuss whether the funding would be an ongoing State responsibility or whether local governments would eventually add funding. She remarked that the Washoe County Mental Health Court had been very effective, and an attempt had been made to initiate the Clark County Mental Health Court during the 2003 Legislature but, unfortunately, the funding had not been allocated. Vice Chairwoman Giunchigliani hoped that the funding would be allocated during the current session.

Vice Chairwoman Giunchigliani asked whether there was further testimony to come before the Committee regarding A.B. 41.

Laura Mijanovich, representing the American Civil Liberties Union (ACLU) of Nevada, stated she was present on behalf of the ACLU to support the bill. As previously mentioned, a recent headline in the *Las Vegas Review Journal*, "Jail Caught in Space Crunch," made it clear that there was a definite need for the mental health court program in Clark County. Ms. Mijanovich stated that the lack of ability to deal effectively with the mentally ill in the criminal justice system only exacerbated the problem of overcrowding, particularly in the Las Vegas area. Ms. Mijanovich stated that the ACLU supported a way to deal with the problem in a more meaningful manner, and enhancing the role of the mental health court could only help.

According to Ms. Mijanovich, there was one caveat, and that was the fact that the mental health court program would still be an adversarial process within the criminal justice system and, therefore, would need to be dealt with in such a manner that ensured due process considerations were given to the participants. She reiterated that the program was still within the criminal justice system and the situation of the persons involved had to be considered from that angle.

Lawrence Matheis, Executive Director, Nevada State Medical Association, stated that the Association did support the bill and believed it was an important part of the puzzle that the Legislature had to put together during the 2005 Session. Mr. Matheis pointed out that crises sometimes helped everyone see that there were different pieces that affected the end outcome, whether it was viewed as a crisis of mental health services, or a crisis of emergency department diversion, or a crisis in the criminal justice system, he believed that none of the crises could be solved without first addressing the crisis in mental health care. Mr. Matheis said there were a number of bills and the base budgets, and somehow the issue of where the problems existed had to be fundamentally addressed, along with how the problems could be lessened to the

point that it would alleviate the current crisis in Clark County, and forestall a repeat in other areas of the State.

Vice Chairwoman Giunchigliani concurred with Mr. Matheis's remarks, and pointed out that a bill would be heard in the Assembly Committee on Health and Human Services that would help put the puzzle together. That bill would review several issues, such as housing, mental health, and the situation in the emergency rooms. Rather than addressing the problem piecemeal, perhaps the Legislature could devise a long-term plan.

Vice Chairwoman Giunchigliani asked whether there was further testimony to come before the Committee, either for or against, A.B. 41.

Larry Struve, representing the Religious Alliance in Nevada (R.A.I.N.), explained that R.A.I.N. was a coalition of five mainline judicatories in the state of Nevada: 1. The Roman Catholic Dioceses of Reno and Las Vegas; 2. The Episcopal Diocese; 3. Two districts of the United Methodist Church; 4. The Nevada Presbytery; and 5. The Evangelical Lutheran Church in America. Mr. Struve said one of the issues supported by R.A.I.N. during legislative sessions was social justice. He voiced support for A.B. 41 on behalf of R.A.I.N. because that entity believed that for the sake of the individuals who were caught up in the criminal justice system, who also suffered from mental health problems, the proposal in the bill to expand the mental health court program in southern Nevada was a much more humane way of dealing with the problem. The Washoe County Mental Health Court had obviously enjoyed success, and Mr. Struve believed that since the bulk of the population resided in southern Nevada, it would make sense to expand the program to include that area of the state.

Mr. Struve stated that many of the churches in the R.A.I.N. judicatory worked at the local level with courts and agencies that worked with the courts, to try and provide some ongoing help for persons who might be involved in the mental health court system. One of the R.A.I.N. individuals, Reverend Bonnie Polley from Christ Episcopal Church in Las Vegas, had been featured in the local newspapers with her work in the jails. Mr. Struve said that R.A.I.N. believed the mental health court program was much more humane and worked toward social justice and criminal justice. He hoped the Committee would favorably act on A.B. 41, and would search for a method to set the priority in The Executive Budget regarding the importance of the mental health court and the direction in which Nevada should set out upon.

Assemblyman Marvel asked Mr. Horne how he had arrived at the amount of \$1 million requested in A.B. 41. Mr. Horne stated the amount of \$1 million for each year of the biennium had been determined based on the population differences between Washoe and Clark Counties. He indicated that the Washoe County Mental Health Court received \$650,000, and he believed that the amount of \$1 million was not really sufficient to address the population difference in Clark County. However, said Mr. Horne, he had also considered the fiscal concerns of the Legislative Body during the 2005 Session. Mr. Horne stated he had not wanted to overreach, but wanted to make a serious impact in funding the mental health court program in Las Vegas to the level that was needed regarding the population of Clark County.

Mr. Marvel said the reason he had asked was that the original fiscal note depicted \$35,000 per year for administrative expenses, and he wondered how the balance of the funding would be used. Mr. Horne said the funding would be used for housing, therapy, and counseling expenses, and because the mental health court program was fluid in nature, the funds would be expended based

on the needs of the people using the program. He indicated that those needs changed from year to year, because one year there might be more housing needs than therapy, et cetera. Mr. Horne said he could possibly ascertain a percentage breakdown.

Mr. Marvel believed that with her experience, Assemblywoman Leslie would be familiar with mental health court expenses. He would appreciate an approximate breakdown of expenses so the Committee would be aware of how the money would be expended throughout the different areas of need. Mr. Horne said he would ask for an estimated breakdown from the mental health court in southern Nevada. He reminded the Committee that grant money had funded the original program and it had only been operational for a 1-year period with 25 clients. Mr. Horne believed the numbers would be speculative, and he did not want to mislead the Committee. Mr. Marvel said from the support seen by the Committee, he would not be surprised to see the court become an ongoing program, and the Committee would like some idea of how the funding would be spent. That would make it easier to approve the appropriation, which he believed was for a very worthy cause.

For the benefit of new members, Vice Chairwoman Giunchigliani explained that when the Committee received an amended bill, the original fiscal note would be behind the original bill. Originally, a dollar amount of \$35,000 had been included in A.B. 41 for each year of the biennium for the Administrative Office of the Courts. With the amendment, that portion should have been deleted because it had been transferred to the budget account for the Division of Mental Health and Developmental Services (MHDS). Vice Chairwoman Giunchigliani said the Committee should make note of that fact when it debated the funding requested in A.B. 41.

Vice Chairwoman Giunchigliani believed that A.B. 175 also included funding for the mental health court system, and she asked Assemblywoman Leslie to discuss that bill. Ms. Leslie explained that to ensure there was funding available for mental health courts, A.B. 175 included the appropriate decision unit from The Executive Budget that had not been approved. The amount was approximately \$2 million, and in order to arrive at that figure, Ms. Leslie stated the MHDS Division had provided documentation that showed exactly how much would be spent on housing and how much on case coordination. The figures had not simply been "picked out of the air," and there had been substantial documentation to support the figures, as had been forwarded to the Governor's Office by the MHDS Division in its original budget. Unfortunately, the Governor had not prioritized the funding for mental health courts. Ms. Leslie said the funding breakdown had been included in A.B. 175.

Vice Chairwoman Giunchigliani said that would be the Committee's consideration regarding whether or not it chose to move A.B. 175, which included funding for all mental health courts, or A.B. 41 and, either way, she would echo Mr. Marvel's request for documentation.

Assemblyman Denis asked what the actual cost would be to fully fund the mental health court program. Mr. Horne said he did not know what the actual cost would be, but to give the Committee an idea of the cost, Clark County's current population was close to 2 million, and with the \$1 million requested in A.B. 41 the mental health court would serve between 100 to 120 clients.

Judge Glass explained that at the present time, the \$1 million would serve 100 consumers. The costs would include 4 case service coordinators, 3 of which would be new positions. Judge Glass stated that each case service

coordinator would supervise 25 consumers. She believed that out of the Clark County Jail population, there were probably between 400 to 500 people currently on psychotropic medication. Judge Glass emphasized that not all people would be eligible for the mental health court program, based on the varying degrees of crimes they were alleged to have committed. It was anticipated that the southern Nevada mental health court program could go from 100, to 200, to 300 consumers quite rapidly. Judge Glass stated the drug court program in Las Vegas had 1,000 consumers, however, she did not believe the mental health court would reach that number. Because of the population growth, along with growth in the jail population, Judge Glass anticipated that the mental health court program could grow by "leaps and bounds" over the next few years, as long as there was funding available to support the program. Judge Glass said it would cost a significant amount of money to fully fund the mental health court program.

Another issue to consider down the road, said Judge Glass, was a program much like the Opportunity Village model in Clark County, where persons from the mental health court program would have some assisted employment opportunities and would be able to go to work and become productive. That would give those persons something to do that would make them productive members of the community. Judge Glass said that would help with self esteem and move those persons toward reintegration into their families and the community.

Mr. Denis asked whether that was currently available, and Judge Glass explained that assisted employment was a long-term goal and the mental health court did not have the money to initiate such a program at the present time. It was a goal that the court would work toward in the future.

Mr. Denis asked whether there were matching funds available for the State funding provided. Judge Glass said the mental health court was always looking for grant applications to supplement its operation, and would certainly welcome any private donations from persons who wanted to assist with the program. She said the mental health court was always looking for additional funding sources, and the court had been initiated with \$150,000 in grant funds, which would soon be gone.

Mr. Horne pointed out that [Exhibit C](#) included the various costs of housing persons in jails and prisons, and he asked the Committee to keep in mind that as the population grew, those numbers would grow as well. While there might be additional money needed for the mental health courts in Clark and Washoe Counties, Mr. Horne said the courts would actually help keep costs down by keeping some persons out of the prison and jail systems, since the cost for both would also continue to grow.

Assemblywoman Leslie stated that she completely agreed with Mr. Horne's statement regarding the prison and jail systems, and noted that those were the most expensive alternatives. Because of the intensive case management, said Ms. Leslie, the mental health court programs would help qualified persons gain access to public assistance programs, such as disability programs. Without that type of intervention, mentally ill persons would be continuously caught in the process of denial and reapplying for those programs. Ms. Leslie said in the end, when the application for assistance had been correctly completed and accepted, those persons could be integrated into the community, supported in housing, and kept on their medications, which would save the State enormous amounts of money. At the present time, national research efforts were underway to prove that savings, and Ms. Leslie pointed out that even though there were no

matching funds available at the present time, there should be funding sources that could be accessed in the future.

Judge Glass stated that Assemblywoman Leslie was absolutely correct, and what happened was that when arrested, persons often lost their benefits, and the mental health court's case service coordinators would help people reapply for benefits. Judge Glass said it was not a complete match of funding, but it certainly was another resource that could be used by the mental health court. She concurred that most of the persons were not capable of reapplying for benefits without help.

Vice Chairwoman Giunchigliani believed that there absolutely was a crisis, which had not been fully addressed, and the mental health court was one piece of the puzzle. With no further testimony forthcoming regarding A.B. 41, Vice Chairwoman Giunchigliani closed the hearing, and opened the hearing on A.B. 53.

Assembly Bill 53: Creates Division of Minority Health within Department of Human Resources. (BDR 18-146)

Dr. Larry Gamell, Chair of the Health Committee of the Las Vegas branch of the National Association for the Advancement of Colored People (NAACP), introduced himself to the Committee. Dr. Gamell stated he was present at the hearing to offer support for A.B. 53, which would create a Division of Minority Health within the Department of Human Services. The language of the bill stated, "The Division's primary purpose is to improve the quality of, and access to, health-care services for members of racial and ethnic minority groups."

Dr. Gamell believed it was important for the Committee to know what made that purpose necessary. Racial and ethnic health disparities, which affected people of color, were the reason. Dr. Gamell reported that the National Institutes of Health defined health disparities as differences in incidence, prevalence, mortality, burden of diseases, and other adverse health conditions that existed amongst specific population groups in the United States. According to Dr. Gamell, racial and ethnic health disparities were generally not the result of people experiencing a different set of illnesses than those affecting the general population, rather that diseases and injuries that affected the population as a whole affected people of color more frequently and more severely. Dr. Gamell said that was made dramatically evident when it was considered that on average, a male black baby born in the United States today would live 7 years less than a male white baby. For females, the difference was 6 years.

Black men, said Dr. Gamell, were twice as likely to die of heart disease as white men, and mortality rates for cardiovascular disease among Latinos were also significantly higher. Latinos were 1.8 times as likely as non-Hispanic whites to have diabetes, and 1.7 times as likely to die from that disease. Dr. Gamell reported that African Americans were 2 times as likely as non-Hispanic whites to have diabetes, and 2.5 times as likely to die from that disease. He indicated that Native Americans had the highest rate of diabetes of all. Dr. Gamell stated that African-American diabetics were 20 percent more likely to lose a limb to the disease than other diabetics, and were twice as likely as white diabetics to develop terminal kidney disease. According to Dr. Gamell, Latinos were 41 percent less likely than non-Hispanic whites to receive diabetes education. It should be noted that the direct and indirect cost of diabetes in the United States was \$132 billion annually.

Dr. Gamell reported that black men were more likely to get prostate cancer and more likely to die from it. Black women were less likely to get breast cancer, but more likely to die from it. It was projected that in Nevada 50 percent of all new HIV cases would be among people of color.

Dr. Gamell stated he was at the Legislature for the third time seeking passage of legislation that would create a Division of Minority Health, because once he knew the numbers, he could not turn away.

More than 35 years ago, Dr. Martin Luther King, Jr. said, "Of all forms of inequality, injustice in health care is the most shocking and inhumane." Dr. Gamell pointed out that injustice in health care remained rampant to date, and the report from the National Institutes of Health bore that out with the statement, "Disparities exist because of unequal care." The issue was part of the ongoing movement for human rights and was considered the new civil rights issue. Dr. Gamell indicated that the state had witnessed a dramatic increase of people of color in its population since similar legislation had first been brought before the Body in 1999. There was a risk that prevalence of disparities might increase in Nevada as the state's population continued to mirror its neighboring state, California. Dr. Gamell said it was projected by the year 2040 that 2 out of 3 Californians would be people of color, and by the year 2050, 50 percent of the population of the United States would be minorities.

As Nevada became increasingly diverse, Dr. Gamell said the reality of a healthy and productive Nevada would increasingly rely on the ability to keep all citizens healthy. Elimination of health disparities was imperative as a matter of fairness and economic common sense. Dr. Gamell indicated that the tremendous challenge could and must be met with a focused commitment of will, resources, and cooperation to bring about change. He stated that passage of A.B. 53 alone would not immediately end health disparities, but it would begin a focused process in assisting the State in its policies and practices related to health-care delivery, financing, and health education.

In closing, Dr. Gamell stated that the 2005 Legislature had a chance to help right an egregious wrong and create an enduring legacy, which he hoped would begin today.

Vice Chairwoman Giunchigliani stated that a recent article in the *Las Vegas Review Journal* depicted the different languages spoken in Clark County, and when defining the issue of minority groups, which meant a racial or ethnic minority, there were many different groups, such as Latino, Asian, Pacific Islanders, et cetera. She emphasized that there was a very broad spectrum in capturing every nationality.

Vice Chairwoman Giunchigliani indicated that the bill requested an Administrator and an Administrative Assistant I positions, office space, and the cost for a 15-member advisory committee. She asked Mr. Willden to come forward and comment on the fiscal note regarding A.B. 53.

Assemblywoman Smith asked about the intent of the proposed advisory committee, and she asked who would serve on that committee. Dr. Gamell stated that it had been found in "best practices" that the delivery of health care and bringing about change in dealing with minorities required input from the people served. He explained that the proposed advisory committee would consist of people from the various communities throughout the State that the proposed division would be working with. Mrs. Smith asked whether the members would include staff or simply general public members. Dr. Gamell

replied that members would be from the general public via appointment by the Governor.

Michael Willden, Director, Department of Human Resources (DHR), pointed out that Section 16 of A.B. 53 delineated the membership of the proposed advisory committee. Mrs. Smith said that Section 16 merely referred to 13 members appointed by the Governor, 1 member appointed by the Majority Leader of the Senate, and 1 member appointed by the Speaker of the Assembly, but she was curious about the 13 representatives. She asked whether those persons would all be community-based members. Dr. Gamell said the intention was that the majority of the members on the advisory committee would be community-based persons.

Vice Chairwoman Giunchigliani referred to Section 16(2) which stated, "When appointing a member to the Advisory Committee, consideration must be given to whether the members appointed to the Advisory Committee reflect the ethnic and geographical diversity of this State." She pointed out that there was no reference to the appointment of public officials, and the intent appeared to be community-based persons. Mrs. Smith believed that the language should be more specific, as it seemed that most advisory committees were formed with more specific language.

Vice Chairwoman Giunchigliani posed the question of what was more important, the administrator position or the advisory committee, in the event that full funding was not available. Dr. Gamell replied that the administrator position was extremely important, and would be necessary to get the proposed office up and running. Vice Chairwoman Giunchigliani said that at times the Committee had to look at areas that would be cut, and the most important priority appeared to be establishment of the Division of Minority Health.

Vice Chairwoman Giunchigliani asked Mr. Willden to address the fiscal note attached to A.B. 53.

Mr. Willden stated that there had been no appropriation associated with the proposed division and a fiscal note had been prepared. He explained that the DHR had made a few assumptions that an administrator would be needed to head the new division, as it was proposed as a division within the DHR. Personally, he could not see it at a division level, but rather as potentially an office within the Director's Office. Mr. Willden said a number of studies and programs were run from the Director's Office rather than elevating them to the division level. That aside, the DHR had done the fiscal note for an administrator, or head of the division, at a salary of \$80,000 per year, plus fringe benefits, which would basically fit in at a bureau chief level in State government terminology.

Mr. Willden indicated that the division would also have an administrative assistant, or clerical support, for the administrator, along with the associated operating costs and travel for the administrator. Mr. Willden said that the legislation also requested that advisory committee members receive the \$80 salary per day that was typically paid to members of boards and commissions, so that was included along with travel for the members.

Mr. Willden noted that the DHR had made the assumption that none of the advisory committee members would be state or government employees. Many times advisory committees and/or boards included state or local government employees, who traveled on their own dollars. The total fiscal note would be approximately \$203,000 in the first year of the biennium and \$178,000 in the

second year. Mr. Willden indicated that the start-up costs in the first year of the biennium included the purchase of equipment, et cetera, which made the total for the first year of the biennium slightly larger. He stated that the DHR had made no assumption in the fiscal note of being able to find a grant to help fund the proposed division until it was approved and underway. Mr. Willden said there were possibilities for federal grant funding sources.

Vice Chairwoman Giunchigliani said the proposal was probably long overdue and had been discussed off and on policywise for many years regarding the issue of not addressing the areas regarding different health needs. She was certain that illnesses and diseases that affected different minority groups were similar to those that affected the needs of women in health care.

Mr. Willden said he would provide copies of the *National Healthcare Disparities Report* to the Committee. It was an annual report that was easy to read. Vice Chairwoman Giunchigliani indicated that would be very helpful.

Assemblywoman Leslie stated she was definitely in support of the policy side of A.B. 53, but she had a few questions. She asked whether the requested administrator position would be classified like the other bureau chief positions. Mr. Willden said the way the fiscal note had been prepared the position would be unclassified. Ms. Leslie asked why the proposed division would be in the Director's Office rather than as a special office within the Health Division. Mr. Willden believed the functions of the proposed division would be quite broad, however, it could be placed in the Health Division. He felt there would be access issues with Medicaid and the State Children's Health Insurance Program (SCHIP). The bill also specifically declared that mental health issues would not be left out in the disparity issues, so it would not neatly fit into one division, but it could be housed in the Health Division.

Ms. Leslie said she was happy with that answer and it made sense, but at times it appeared that the DHR Director's Office was being overburdened in some ways. Ms. Leslie opined that there had to be federal money available for the proposed division and Nevada had to be one of the last states that did not have a division of minority health. Mr. Willden did not have an estimate of how much federal funding would be available, but there was little doubt that there would be federal grant dollars available.

Ms. Leslie asked whether A.B. 53 was the same proposal that had been presented in previous years. Dr. Gamell advised that there were currently 39 states that had offices of minority health, and the national Office of Minority Health was very interested in Nevada. He also believed there would be some federal funding assistance.

Vice Chairwoman Giunchigliani asked whether there was further testimony to come before the Committee regarding A.B. 53.

Lawrence Matheis, Executive Director, Nevada State Medical Association, voiced support for the bill and noted that the Association had supported similar legislation in the past. The good news was that the issue of health disparities was finally being taken seriously, and it was no longer being attributed to "cranky patients" who did not understand. Mr. Matheis said there really were differences in the way people with ethnic and gender differences responded to the same treatments for the same conditions. There was more and more work being done at the national level and the private level, which was good news, but it meant that there also had to be an analogous commitment at the public level.

Mr. Matheis believed that it was past time to focus on the problem and ensure that the State was using the growing body of information by integrating it into the State's health-care system. A review was needed of the different programs to ensure that the different needs of the various populations were met. Mr. Matheis believed it was the right step, and when it had been proposed several years ago, his suggestion had been that the Office of Minority Health should be located within the Office of the Governor, but wherever it was placed and however the agency was structured, it should be clear that the issue was being given public priority. There were scientific reasons to support the growing body of information regarding how to treat, diagnose, and care for people with different ethnic backgrounds.

George Ross, representing Hospital Corporation of America (HCA), stated that HCA had consistently supported access to high quality health care for all Nevadans and, to that end, believed that A.B. 53 was a very significant step in that direction. Mr. Ross said he could not add much more to the previous comprehensive testimony that had been presented to the Committee, but one aspect of the bill that was encouraging was the fact that, in reality, there were cultural and linguistic barriers to people seeking quality health care. He pointed out that even if health care was available, because of the way some persons had been raised in their home countries, they would be suspicious and would not seek the health care because they would not trust the providers. Mr. Ross said the bill contained the potential for outreach to those communities in an effort to overcome some of those barriers, which the HCA found very encouraging.

Lucille Adin, President of the local Reno/Sparks NAACP, voiced support for A.B. 53 because minority health was very critical today, and basically because of the rising cost of insurance, which meant people could not afford health care. Ms. Adin believed that education and programs would improve the situation. She stated that she supported the bill, and asked that the Committee also support it.

Dr. Michelle Chino informed the Committee that she was an American Indian and resident of Nevada, and was employed at the new School of Public Health at the University of Nevada, Las Vegas (UNLV), where she ran two research centers. Dr. Chino said one was the American Indian Research and Education Center, and the other was the Center for Health Disparities Research. She indicated that she had been working on issues of health disparities and issues of health in minority communities over her entire career, and was pleased to have the opportunity to voice support for A.B. 53. Dr. Chino believed it was very critical for the State to pay attention to issues of minority health, not just from the aspects of cultural and linguistic differences, but also the system issues that posed barriers regarding equivalent and equitable health care for people from racial and ethnic minority groups, not just in Nevada, but across the nation as well.

Dr. Chino stated that previous testimony had eloquently addressed many of the issues, however, she would speak to the funding issue. She indicated that the School of Public Health at the UNLV was operating on a \$1.2 million grant from the National Institutes of Health (NIH). With that type of support from the NIH, and the fact that Nevada currently had two Schools of Public Health, it was time for the State to become a partner in the effort to establish an Office of Minority Health. She noted there were many resources available and, as partners, a great deal of additional money could be leveraged toward that endeavor. Dr. Chino said that when she next applied for NIH grant funds for the

UNLV School of Public Health, if the school had a strong State partner it could leverage an even larger grant of funding. When the NIH provided funding, it gave millions of dollars, and Dr. Chino explained that currently, the UNLV School of Public Health had received a planning grant from the NIH for \$1.2 million to research health disparities in Nevada. Dr. Chino said the funding would help determine how to address those issues, and she believed that many entities throughout the State would rally together to address minority health issues. She strongly urged the Committee to support A.B. 53.

Vice Chairwoman Giunchigliani asked about the two Schools of Public Health. Dr. Chino believed that the Board of Regents had approved not only the school at UNLV, but also a School of Public Health at the University of Nevada, Reno (UNR). Vice Chairwoman Giunchigliani said it was her understanding that the Chancellor had indicated he would no longer duplicate schools. Dr. Chino said she was sorry if she had misspoken.

Vice Chairwoman Giunchigliani asked whether the School of Public Health at UNLV received funding from other sources, or was it dependent upon the NIH grant funding. Dr. Chino explained that the school received funding from grants and contracts. As a faculty member at the School of Public Health, UNLV, she said that every dollar brought into the research center was "soft" money from grants and contracts.

Vice Chairwoman Giunchigliani asked how much money was taken "off the top" for administrative fees. Dr. Chino said it sounded "ugly" at first because the direct rate at UNLV was 47.5 percent, however, at least 30 percent of that funding was returned to the School of Public Health, and was invested back into the programs. Dr. Chino said that equated to a much smaller amount allocated to administrative support, et cetera. The other important thing to note was that, unlike Centers for Disease Control (CDC) funds and other grant programs, the NIH funded programs in full and then tacked on the indirect costs. Dr. Chino said she had put the funding needed to run the School of Public Health and conduct the appropriate research in the proposal and, in addition to that, the NIH had provided funding for the indirect costs.

Vice Chairwoman Giunchigliani said she was not trying to be critical, but there were so many grant programs at the universities where the administrative funding did not go back into the program, and there was simply too much off the top.

Toni Horne, President, Revivals Health Awareness Group, Inc., explained that she had founded the Revivals Health Awareness Group, Inc. approximately 3 years ago to bridge the gap in northern Nevada between the existing organizations, such as the American Cancer Society, Alzheimer's Association, and other entities, and the minority population. Ms. Horne stated that she was in favor of A.B. 53 because for the past three years, even though the Revivals Health Awareness Group, Inc. might look good on paper, it was just her doing what she could to coordinate health fairs in parks in the neighborhoods of people who needed resources. Ms. Horne stated it was difficult for one person to do that, and it would be more efficient if there was a Division of Minority Health where such work could be continued. She indicated that her Health Awareness Group had started with breast health and had continued to grow as the minority population needed additional resources.

Ms. Horne explained that she contracted with different dentists who volunteered hours, which was called "Saturday Smiles," when they were not working in their practices. That program assisted people who needed dental

health care, mostly adults because it was easier to access services for children in minority communities. Those dentists volunteered their time on Saturdays so adults could come in for cleanings and screenings.

Ms. Horne stated that she also walked along the Truckee River to assess the homeless need because many people camped out on the river. That included families, not just men, but families with children and there was a real need to help those families. Ms. Horne reported that she was "tired," and would really like some help. She explained that the barrier to her work was financial and just to run her program was approximately \$6,000 or more a year, which she contributed from her personal funds. Ms. Horne believed that a Division of Minority Health would be a benefit to the community and also to organizations that currently existed in the community, so those organizations could tap into the resources from that division.

Since she had started promoting health fairs approximately 3 years ago, Ms. Horne stated that her organization had conducted 16 health fairs with Mammogram of Nevada in different neighborhoods. Over that period of time, there had been 4 women diagnosed with breast cancer who otherwise would not have had the screening if the health fair had not been held in their neighborhoods. One of those women had since passed away because the cancer had not been detected early enough. Ms. Horne said she had recently turned 40, and had her first mammogram, but if she had not formed her organization to help other minority women, she did not believe she would have had that test. A lump had been discovered and surgery had been performed, but Ms. Horne said if she had not already been involved, she did not believe she would have gone for the test.

Ms. Horne voiced support for A.B. 53 and believed it was very important to address the health needs of minority populations at the present time.

Vice Chairwoman Giunchigliani commended Ms. Horne for her work, since she had a full-time job and then worked for the community. She believed Ms. Horne would be an excellent candidate for the proposed advisory committee.

Michael Alastuey, representing Clark County and the University Medical Center (UMC), said that no institution in the State that provided health care dedicated a greater percentage of its bottom line to providing health care for those to whom access to such care was most difficult than the UMC. He stated he was also pleased to have served on the board of the Clark County Health Access Consortium where he, as a less initiated member of that board, became increasingly aware that cultural barriers, as well as financial barriers, posed significant issues for individuals and providers to surmount. Mr. Alastuey said the UMC would stand in support of the concept of A.B. 53 and for all of those for whom access was most difficult, whether it was cultural, trust, financial, or transportation, which eventually would be combined in order to reach a reasonable solution.

Janet Serial, President, Progressive Leadership Alliance of Nevada, stated that she would like to read written testimony into the record on behalf of a colleague who was not able to be present at the hearing. She read the following letter ([Exhibit D](#)) into the record:

February 17, 2005

A need for AB 53: Division of Minority Health in the Department of Human Resources.

This written testimony is being provided in full support of creating a Department of Minority Health. I am sure it is quite apparent to Nevada legislators that this state has grown to reflect a multitude of ethnicities over the past two decades. In Las Vegas in particular the population of different minority groups has grown in record-breaking numbers. Due to this fact alone we have to acknowledge as a state system the need to create a specific department that will address the growing and immanent health concerns of our diverse population.

One issue in particular I want to highlight is the ever growing HIV/AIDS epidemic among people of color. By ethnicity the three leading groups testing positive are African Americans, Hispanic-Latinos, and Native Americans. Among African American individuals women are targeted. Currently statistics suggest that black women between the ages of 25 to 35 are at an extremely high risk. This disease has become their number one cause of death as they account for 72 percent of new reported cases. The amount of education, testing, and programs to eliminate the stigma attached to communicating about this issue are at minimum effort currently. The lack of collaboration between already existing programs and disbursement of funds to nonprofit organizations that primarily serve people of color is both appalling and devastating to us as a community. The issue of HIV/AIDS as an epidemic within communities of color in Nevada seems to be something that we have ignored and minimized.

Creating a Department of Minority Health will not only open the possibility of developing a strategic outreach plan to tackle the above mentioned issue, but it will also provide an effective means to assessing, tracking, and responding to all the health issues that specifically target people of color. Treatment is only one aspect of the problem. The lack of awareness, education, and culturally sensitive programs appear to be the bigger problem for communities of color. Mental health issues, diabetes, immunization, certain forms of cancer are all health topics that historically have been taboo or people have been misinformed about in regard to risks and lifestyles. A significant factor that appears to contribute to health issues which specifically impact communities of color is the cycle of poverty. Lack of proper health insurance or monthly income to practice preventive care or to live a healthy lifestyle is detrimental to the survival of any human being.

So I urge you to fully support the creation of a Department of Minority Health by passing A.B. 53. Thank you for allowing me to submit this written testimony.

Kenya R. Pierce, MSW
Sociology Instructor, Department of Human Behavior
Community College of Southern Nevada
Las Vegas, Nevada

Ms. Serial advised the Committee that she would also like to testify regarding A.B. 53. As President of the Progressive Leadership Alliance of Nevada, and as Chair of the People of Color Caucus, Ms. Serial reported that both entities had been very pleased and honored to be organizational sponsors and participants in

an activity in Washoe County called "The African Heritage and Leadership Conference," which had been held in the African-American community. Ms. Serial explained that the conference had been held on February 26, 2005, and she had facilitated the health workshop. By way of background, Ms. Serial stated that from 1996 to 2000, she had served as the Health and Welfare Chair for the Reno/Sparks branch of the NAACP. She reported that the health workshop had featured five highly qualified presenters who were knowledgeable experts in their respective fields. Those presenters were from Great Basin Primary Care Association, the Health Division of the Department of Human Resources, the Nevada Public Health Foundation, as well as a local nonprofit organization in Washoe County which provided HIV/AIDS awareness education and training.

According to Ms. Serial, the workshop addressed the role of public health in addressing the health-care needs of people of African descent and identified the major health-care problems experienced by African Americans, which not only impeded their quality of life, but also was the leading reason why African Americans had a higher incidence of death and shorter life spans than any other ethnic racial group. Ms. Serial said the workshop itself offered a 2-hour window of opportunity, and several key health-care issues were featured, such as cancer, diabetes, and HIV/AIDS. Those issues had been selected because of their linkage to other serious life-threatening health conditions experienced by people of African descent, such as heart disease, stroke, and kidney failure.

Ms. Serial advised that heart disease and lung cancer were the leading causes of death among African Americans in the United States. In Nevada, women had higher rates of heart disease than the national rates. Cancer was the second leading cause of death among African Americans, taking more lives than from any other racial group. Ms. Serial said that diabetes was the fifth deadliest disease in the United States and had no cure. The most life-threatening consequences of diabetes were heart disease and stroke, which struck people with diabetes more than twice as often as others. Ms. Serial stated that African Americans experienced higher rates of at least four serious complications of diabetes, which were cardiovascular disease, blindness, amputations, and end-stage renal disease or kidney failure. HIV/AIDS was the fourth leading killer of women of color aged 25 to 44. She advised that the death rate of African American women was the fastest growing and had been linked to three major factors; late detection, treatment, and access to care issues. Ms. Serial reported that teen pregnancy rates among blacks and Hispanics were far higher than for white Nevada teenagers.

According to Ms. Serial, the reason for the workshops was to basically identify and discuss the problems, but also because it was felt that there was a need to formulate an action plan surrounding prevention, treatment, policy, and program solutions to address and cure the health-care problems. Creation of a Division of Minority Health would take the place of volunteers, such as Ms. Horne and others who worked full-time jobs and only participated in programs on the side because they cared and were passionate about health care. Ms. Serial said it would enable volunteers to work with organizations that were structured to meet the needs of the communities in a more effective and productive way.

Rose McKinney-James, representing the Caucus of African-American Nevadans (CAAN), said she was present to speak in support of A.B. 53. Ms. McKinney-James indicated that she served as the Government Affairs Officer for CAAN, and also as their legislative liaison. Over the course of the past year, the CAAN had established several legislative priorities, and one of those priorities was the issue of minority health. Ms. McKinney-James said the

bill would go some distance toward supporting that priority. She explained that CAAN was a nonprofit advocacy organization, which had been very active in the community for the past approximately 18 months. Ms. McKinney-James indicated that the CAAN would appreciate the Committee's support of A.B. 53.

Buffy Martin, representing the American Cancer Society, said that the Committee had heard a great deal of testimony regarding the statistics of health care disparities and minority populations, but she believed it was important to be reminded of the burden that cancer placed on minority populations. Simply put, Ms. Martin stated that the burden of cancer on some segments of the population of the United States was heavier than others. In 2005, approximately 1.3 million Americans would be diagnosed with cancer. Ms. Martin explained that racial/ethnic minorities were expected to account for a higher disproportionate number of those diagnosed with cancer, and that number was indeed startling. African American men, in particular, had a 20 percent higher incidence rate of cancer and a 40 percent higher death rate of cancer as compared to Caucasian men.

Ms. Martin stated that some of the contributing factors included having little or no health insurance, living in poverty, lack of access to health information or services, and language barriers. It was the Cancer Society's hope that by creating a Division of Minority Health, answers could be found to help save lives in Nevada's underserved populations.

Raquel Knecht, Director, Nevada Hispanic Services, stated she would like to add her voice and the voice of the agency to the list of those supporting A.B. 53. Ms. Knecht believed it was very important and she advised that the rate of population growth in Nevada, particularly within the Hispanic community, was one of the fastest growing in the nation. She stated it was important that there was a voice for the minority population, which consisted of the racial/ethnic people of color in Nevada's diverse population.

The Committee had heard testimony which provided excellent statistics that reflected the need for minority health care, and Ms. Knecht said that the Division of Minority Health would address health-care issues such as diabetes, cardiovascular disease, obesity, and dental care, which was a serious problem among the Hispanic community and people of color. Ms. Knecht reported that mental health needs were growing within the minority population, particularly in the Hispanic community. That had come about because of the fact that health-care issues, such as health-care insurance or lack thereof, and funding were not available for many of the people in the minority population who did not have the funds to access health-care services. Ms. Knecht said, rather than going to the doctor when necessary, the minority population prolonged the wait and the problem then became more serious.

Ms. Knecht believed it would prove beneficial for the Division of Minority Health to hear from the community, and if an advisory group was formed, it should reflect the diverse community and the grass roots community of the people that it would serve. Ms. Knecht said that education should be offered in a language that was understandable to all, and training should also be conducted in a cultural and sensitive manner for the diverse community. Most important, said Ms. Knecht, was to keep Nevadans healthy, particularly the minority community.

Laura Mijanovich, ACLU, indicated that she strongly supported A.B. 53. The statistics spoke very loudly and confirmed that there was definitely a problem with minority health disparities in Nevada. Ms. Mijanovich noted that in addition

to statistics and the various health concerns, she would like to add the issue of Latino teen pregnancy and reproductive health issues, such as HIV. That was a serious concern in Nevada, which was why the bill would be so beneficial. Ms. Mijanovich said there were cultural differences that made access and understanding of health issues difficult for the minority population, which was why the bill was so important. Ms. Mijanovich urged the Committee to adopt A.B. 53.

Rota Rosaschi, Health Network Director, Nevada Public Health Foundation, voiced support for A.B. 53. Previous testimony had articulated the need and the statistics which would support a Division of Minority Health. She indicated that she was present to testify that such a division would also increase the competence and diversity of the public health workforce by supporting minority student internships, fellowships, and perhaps the institutions of higher learning as well.

Larry Struve, representing the Religious Alliance in Nevada (R.A.I.N.), wanted to place on record the fact that R.A.I.N. members had spoken to Dr. Gamell and had considered all the issues presented before the Committee, and the R.A.I.N. Board had voted unanimously to publicly come forward and support A.B. 53. Mr. Struve said that R.A.I.N. would not assume that the legislation would solve all the problems, but it was certainly a step in the public policy direction to show that the Legislature was concerned about what was happening in the minority communities with regard to health issues. Mr. Struve indicated that R.A.I.N. followed the precept that caring for the health of others expressed both love for our neighbor and responsibility for a just society. As a personal and social responsibility, health care was a shared endeavor. Mr. Struve stated that, obviously, there had not been enough sharing with the minority population, and he hoped the Committee would act favorably on A.B. 53.

Vice Chairwoman Giunchigliani asked whether there was further testimony forthcoming regarding A.B. 53 and, hearing none, declared the hearing closed. The Vice Chair opened the hearing on A.B. 102.

Assembly Bill 102: Makes appropriation to Department of Administration for allocation to Nevada Humanities Committee. (BDR S-1215)

Judith Winzeler, Executive Director, Nevada Humanities, stated she was present to speak on behalf of A.B. 102. On behalf of the Board of Nevada Humanities, Ms. Winzeler thanked the Governor and the Nevada Legislature for passage of Assembly Bill 15 of the Seventy-Second Legislative Session, which had provided \$200,000 for the southern Nevada office of Nevada Humanities and another \$100,000 in matching funds for the Nevada Online Encyclopedia project. According to Ms. Winzeler, Nevada Humanities was asking for the Legislature's continued support of the southern Nevada office at the same level of funding.

Ms. Winzeler referenced Exhibit E, a packet of information that contained a brief summary of the activities of Nevada Humanities in southern Nevada. That information had been taken from the report filed with the Interim Finance Committee (IFC) in December 2004. The funds from the State were a critical 10 percent of the operating budget for Nevada Humanities and allowed it to have a strong presence in southern Nevada and throughout the State.

Ms. Winzeler indicated that also included in the exhibit was the proposed budget for the \$200,000 requested in A.B. 102. Basically, the State funds supported 1.5 staff positions in southern Nevada. Ms. Winzeler explained that

the office was located on the UNLV campus in donated space, and operating costs were very minimal.

Nevada Humanities would also like to request the Committee's consideration for a permanent pass-through budget account. Ms. Winzeler explained that since 1989, Nevada Humanities had received State funding, and for the past 8 years, one-shot appropriations had provided administrative funds for the southern Nevada office. Nevada Humanities was incorporated as a nonprofit organization that received an annual operating grant from the National Endowment for the Humanities. Ms. Winzeler stated that state humanities were the only federally funded cultural organizations that were not established as state agencies.

Included in [Exhibit E](#) was a 2-page request for additional funding for the Nevada Online Encyclopedia project. Ms. Winzeler said Nevada Humanities would welcome an opportunity to appear before the Committee in order to present some of the materials that had been developed as part of that project. She stated that the very brief request summarized funds raised to date and progress that was expected within the next year.

Vice Chairwoman Giunchigliani noted that part of the request was for ongoing funds, and she explained that one-shot money could not be used for ongoing funds, so that would present a problem. She asked about a fund that had been created several years ago to support the arts, but the State had not put funds into the account. Vice Chairwoman Giunchigliani believed it was the Nevada Cultural Trust Fund.

Ms. Winzeler believed that Ms. McKinney-James could speak to that fund.

Rose McKinney-James, member of the Board of Nevada Humanities, explained that over the course of the last few years, with the support of the Legislature, Nevada Humanities had been able to establish a statewide presence. The work Nevada Humanities had undertaken with the Vegas Valley Book Festival, along with other activities, had truly provided an enriching environment for the entire State. Ms. McKinney-James said that Nevada Humanities had been the beneficiary of one-shot money for the past few years, but would like to establish a method for permanent funding. Nevada Humanities would appreciate the Legislature's ongoing support in whatever capacity could be provided, recognizing fiscal constraints.

Ms. McKinney-James said with respect to the cultural trust, the mechanism had been established two sessions ago, but had never been funded. Certainly, Nevada Humanities would like to see some funding identified and put forward to support the arts. There was somewhat of an intersection between the arts and the humanities, and Ms. McKinney-James indicated that from a public policy standpoint, it could be discussed how that might be articulated through legislative budgetary measures.

Vice Chairwoman Giunchigliani referenced the "mechanism" that had been established, and asked what that had involved. Ms. McKinney-James replied that the mechanism had simply been enabling legislation, which established the Cultural Trust Fund. Vice Chairwoman Giunchigliani asked whether that had been located in the higher education budget account. Ms. McKinney-James stated that she did not know where it had been located in the budget, and she had made inquiries and hoped to gain an understanding of the Cultural Trust Fund. She believed it had been established by Senate Bill 170 of the Seventy-First Legislative Session.

Vice Chairwoman Giunchigliani stated that the reason she had mentioned the Cultural Trust Fund was that perhaps it would be a mechanism to create Nevada Cultural and Humanities, and set up a fund similar to that which had been created by the state of Utah. The fund would actually create a principal account and the interest could be allocated to the projects and grants. Vice Chairwoman Giunchigliani advised that there was some one-shot money that would be more appropriately established in trust fund accounts for some types of projects, so that the Legislature could get out of the business of "at whim" throwing dollars at some of the programs. She noted that the Cultural Trust Fund had been established, but never funded, and was a typical "sounds good, made everyone happy" type of action.

Fred Welden stated that he assisted with Nevada Humanities, and he would like to speak about the request for a permanent pass-through account. Included in [Exhibit E](#) was a model of what that account could contain. What was recommended was that Nevada Humanities be placed as a line item in The Executive Budget. Mr. Welden indicated there had been an interim study of cultural resources in Nevada in 1987 and following that, a few years later, the line item had been dropped and funding was provided through one-shot dollars. Nevada Humanities had researched methods to be placed back into The Executive Budget as a line item, and had found two models, the Judicial College and College of Juvenile and Family Justice (BA 1302) within the Administration Budget. Those budget proposals were exactly like the one from Nevada Humanities as contained in the exhibit. Both were nonprofit organizations and the proposal from Nevada Humanities would shift the funding from one-shot dollars to a budget line item.

Mr. Welden said Nevada Humanities had been funded that way for several years, and funding had then been dropped from the budget and made via a one-shot appropriation. The Legislature would also consider a proposal to create a Holocaust Committee, which would be funded as a budget line item, and would be a nonprofit organization. Mr. Welden said one could argue that Nevada Humanities had been in operation for many years and had done really excellent work. He reiterated that Nevada Humanities would request the Committee's consideration of the request for funding via The Executive Budget.

Vice Chairwoman Giunchigliani stated that there was a great deal of support in the Legislature for the arts and humanities but, unfortunately, it could not always find the dollars for funding.

Vice Chairwoman Giunchigliani asked whether there was further testimony to come before the Committee regarding A.B. 102 and, there being none, declared the hearing on A.B. 102 closed. The Vice Chair opened the hearing on A.B. 104.

Assembly Bill 104: Makes appropriation to Western Interstate Commission for Higher Education for upgrades in information technology for accounting system. (BDR S-1221)

Ron Sparks, Executive Director, Western Interstate Commission for Higher Education (WICHE), stated he would present testimony regarding A.B. 104, which contained a request for \$67,900 for technology upgrades for the computer system. He explained that WICHE's computer system was utilized to track all expenditures, as well as receiving and collecting on the various student accounts. Mr. Sparks noted that the computer system had not been upgraded for quite sometime, and a study had been performed 2 years ago, the result of which was a recommendation for a very costly system. He stated that the

proposal in A.B. 104 would help WICHE through the process and was very necessary, as issues had occurred with the present system as a whole. If that system broke down, WICHE would be "in a world of hurt." Mr. Sparks said that a representative was present to answer technical questions.

Vice Chairwoman Giunchigliani asked how long the present computer system had been in place. Mr. Sparks said it had been in place since approximately 1985, and the request was to upgrade that system. Vice Chairwoman Giunchigliani asked whether the upgrades would be in programming or hardware. Mr. Sparks said it would be a combination, and the request was for a server system for security purposes and also for programming to upgrade the system from a DOS-based system to a Windows-based system.

Dave McTeer, Division Chief, Information Technology Division, Department of Administration, advised that he had been responsible for conducting the IT Optimization Study during the current biennium. Part of that study and recommendations addressed serious changes needed in the Application Design and Development Unit within the Department of Information Technology (DoIT). The Department of Administration realized that it, along with DoIT, needed to meet with every customer who had requested DoIT services, to ensure that proper requests had been submitted. Mr. McTeer stated that when he, a representative from DoIT, and the budget analyst met with Mr. Sparks and his staff, it became obvious that WICHE's system was in serious jeopardy of either failing as a system, or providing serious security compromises to the overall network, based upon the structure of the system. That system consisted primarily of pier-to-pier file sharing without a dedicated server.

Mr. McTeer said he was aware that DoIT had conducted a study several years ago, which recommended a commercial off-the-shelf (COTS) solution for WICHE's accounting needs, however, it had been prohibitively expensive at several hundred thousand dollars. Mr. McTeer said it was felt that the upgrade proposed in the bill was a compromise between taking no action and running the risk of not being able to collect money from students and account properly for that money, versus requesting several hundred thousand dollars for a COTS system.

According to Mr. McTeer, the upgrade consisted of programming hours from the Application Design and Development Unit to upgrade the program from a DOS-based FoxPro to a Windows-based FoxPro and to add a server, which would be hardware, as well as providing the DoIT expertise to install the server. Mr. McTeer indicated there would be three components; the server, the installation of the server, and the programming to bring the system up to current technology.

Vice Chairwoman Giunchigliani asked whether the breakout regarding those three components had been provided to Legislative Counsel Bureau (LCB) staff. Mr. McTeer stated that he was unsure whether it had or not. Vice Chairwoman Giunchigliani asked that Mr. McTeer provide that information to LCB staff, and he stated that he would provide the requested information.

Assemblyman Denis asked whether there would be hardware needs other than the server. Mr. McTeer said he did not believe there would be other hardware needed. Mr. Denis asked why the request was for one-shot funding, and would WICHE continue to maintain the system from its budget. Mr. McTeer stated that was correct, and that was why the request was for one-shot funding. WICHE had money in its normal operating budget to maintain the system.

Vice Chairwoman Giunchigliani requested that Mr. McTeer provide the breakdown in costs for the server, installation, and the programming, as that would give the Committee a better overall picture.

Vice Chairwoman Giunchigliani asked whether there was further testimony to come before the Committee regarding A.B. 102 and, hearing none, declared the hearing closed. She turned Chairmanship of the Committee over to Chairman Arberry.

Chairman Arberry advised that the Committee would consider bills for possible action, and opened the hearing on A.B. 26.

Assembly Bill 26: Revises provisions relating to management and operation of veterans' homes. (BDR 37-271)

Mark Stevens, Assembly Fiscal Analyst, Fiscal Division, LCB, stated the reason A.B. 26 initially came to the Committee on Ways and Means was because of page 3, lines 33 through 35. Current statutory language involving federal grants and other money received by the Veterans' Home stated it had to be credited and deposited into the Veterans' Home Account. Mr. Stevens said that stipulation had been removed from one section of the bill and placed in another, which was something of a bill drafting anomaly, and concern over that language should be alleviated. Mr. Stevens indicated there had also been discussion regarding which entity would grant approval, if necessary, to the Veterans' Home regarding rate increases or decreases that might be imposed by A.B. 26. Currently, the Veterans' Home was required to approach the Veterans' Services Commission regarding rates, and the Committee had discussed involvement of another entity in that process. Mr. Stevens said it would be up to the Committee if it wanted to amend the bill and require approval of a separate entity regarding rate changes.

Assemblywoman Giunchigliani suggested amending page 3, Section 2, subsection (2), to read, "With the *recommendation* of the Nevada Veterans' Services Commission, *and upon approval by the Board of Examiners*, the Executive Director shall..." which would establish a second approval.

Chairman Arberry explained to new Committee members that the reason the amendment was being proposed was to provide oversight and ensure that the rates remained within reason. That would alleviate the necessity for the Veterans' Home to approach the Legislature or the IFC for further instructions. Chairman Arberry indicated that the IFC did not want to dictate the issue of rates to the Veterans' Home.

Chairman Arberry stated he would accept a motion.

ASSEMBLYWOMAN GIUNCHIGLIANI MOVED TO AMEND A.B. 26, SECTION 2, SUBSECTION 2, PAGE 3, TO CHANGE THE WORD "ADVICE" TO "RECOMMENDATION," AND ADD "UPON APPROVAL BY THE BOARD OF EXAMINERS," AND DO PASS.

ASSEMBLYWOMAN LESLIE SECONDED THE MOTION.

THE MOTION CARRIED. (Mr. Perkins was not present for the vote.)

* * * * *

Chairman Arberry opened the hearing on A.B. 94.

Assembly Bill 94: Makes supplemental appropriation to State Department of Conservation and Natural Resources. (BDR S-1194)

Mr. Stevens explained that A.B. 94 requested a supplemental appropriation to the Department of Conservation and Natural Resources that was included in The Executive Budget. The bill had three different subsections totaling three different amounts to three different entities within the Department for \$93,972. Mr. Stevens noted that staff had reviewed each item and the agency was eligible for \$14,370 from the salary adjustment pool, which was the pool of dollars appropriated to the Board of Examiners and transferred out to agencies based on need. Mr. Stevens said that staff had taken into account salary savings and other items within the Department's budget, and it was suggested that the Committee only provide the amount needed in additional funds to pay for the salary increase, which was 2 percent effective July 2004. Staff's recommendation would be for the agency to apply for the \$14,370 from the salary adjustment pool, and amend the amount in line 5 from \$42,460 to \$28,090.

Assemblyman Seale asked whether that would be considered a technical "fix." Mr. Stevens said the agency would receive the same amount of money, but staff had attempted to determine how much money was in the salary category. Terminal leave was paid from the salary category, and staff had determined how much money was available that could be applied to terminal leave. One of the things available to the Department was receipt of money from the salary adjustment pool, which was where that money should come from versus approaching the Legislature for a supplemental appropriation to fund the 2 percent salary increase.

Assemblyman Marvel asked whether that was the only amendment required and Mr. Stevens replied that was correct.

ASSEMBLYMAN HETTRICK MOVED TO AMEND AND DO PASS
A.B. 94 PER STAFF RECOMMENDATION.

ASSEMBLYMAN SEALE SECONDED THE MOTION.

THE MOTION CARRIED. (Mr. Perkins was not present for the vote.)

* * * * *

Chairman Arberry opened the hearing on A.B. 95.

Assembly Bill 95: Makes supplemental appropriation to Department of Business and Industry for unanticipated shortfall in money for Fiscal Year 2004-2005 resulting from reclassification of positions in Nevada Athletic Commission. (BDR S-1195)

Mr. Stevens explained that A.B. 95 requested a supplemental appropriation to the Athletic Commission and was included in The Executive Budget. The request was based on the reclassification of two positions and the budget for the Athletic Commission was very small, so any amount of increased costs put pressure on that budget. Mr. Stevens advised that the Commission did not have sufficient funds during FY2004, nor would it have sufficient funds in FY2005. He referenced lines 3 and 4 of the bill, which indicated that the

appropriation of \$7,963 was for an unanticipated shortfall of money in FY2004-05, and he advised the Committee that it should be amended to read FY2003-04. Mr. Stevens stated the Commission would also need a supplemental appropriation for FY2005 in the amount of \$7,241. Mr. Stevens indicated that the Commission had been consulted and agreed with the amounts of the appropriations.

ASSEMBLYWOMAN GIUNCHIGLIANI MOVED TO AMEND AND DO PASS A.B. 95, CHANGING LINE 4 FROM FY2004-05 TO FY2003-04, AND ADDING AN ADDITIONAL APPROPRIATION OF \$7,241 FOR FY2005, AS RECOMMENDED BY STAFF.

ASSEMBLYMAN MARVEL SECONDED THE MOTION.

THE MOTION CARRIED. (Mr. Perkins was not present for the vote.)

* * * * *

Chairman Arberry opened the hearing on A.B. 96.

Assembly Bill 96: Makes appropriations to restore balances in Stale Claims Account, Emergency Account and Reserve for Statutory Contingency Account. (BDR S-1202)

Mr. Stevens stated that A.B. 96 was a one-shot appropriation that was included in The Executive Budget to replenish the Stale Claims Account, the Emergency Account, and the Reserve for Statutory Contingency. The Executive Budget indicated that the funding would restore the amount in the Stale Claims Account to \$3.5 million, which was in subsection 1 of the bill. Mr. Stevens pointed out that there was approximately \$421,000 remaining in that account at the present time and, basically, the bill would increase the balance in that account above \$3.5 million to approximately \$3.9 million. He did not believe that would be problematic, but there would be more money in the account than was reflected in The Executive Budget.

Subsection 2 of the bill contained the appropriation of \$500,000 to restore the funds in the Emergency Account, which currently had a balance of approximately \$50,000. Mr. Stevens stated that would bring the total to approximately \$550,000.

Finally, subsection 3 of the bill addressed an appropriation to the Reserve for Statutory Contingency Account, which was almost out of money with a balance of approximately \$45,000. Mr. Stevens explained that the usual balance in that account was \$3 million, and the Budget Division had indicated that the Board of Examiners would be unable to process claims from the Reserve for Statutory Contingency Account unless the bill moved quickly.

If the Committee did not have a problem with providing a bit more money than traditionally had been included for the aforementioned accounts, particularly in the Stale Claims Account, Mr. Stevens would recommend a motion to do pass A.B. 96. He pointed out that the accounts had been replenished by the IFC over the past two interims.

ASSEMBLYMAN MARVEL MOVED TO DO PASS A.B. 96.

ASSEMBLYMAN HOGAN SECONDED THE MOTION.

THE MOTION CARRIED. (Mr. Perkins was not present for the vote.)

* * * * *

The Chair opened the hearing on A.B. 97.

Assembly Bill 97: Makes appropriation to Account for the Governor's Portrait to provide money for preparation and framing of portrait of Governor Kenny C. Guinn. (BDR S-1207)

Mr. Stevens indicated that the amount requested in A.B. 97 was included in The Executive Budget.

ASSEMBLYMAN HETTRICK MOVED TO DO PASS A.B. 97.

ASSEMBLYWOMAN GIUNCHIGLIANI SECONDED THE MOTION.

THE MOTION CARRIED. (Mr. Perkins was not present for the vote.)

* * * * *

Chairman Arberry opened the hearing on A.B. 107.

Assembly Bill 107: Makes supplemental appropriation to University and Community College System of Nevada for matching money for National Direct Student Loan Program for Fiscal Year 2004-2005. (BDR S-1189)

Mr. Stevens said A.B. 107 was a supplemental appropriation that was included in The Executive Budget. The request was for \$1,400 to provide matching funds for the National Direct Student Loan Program that was administered through the University and Community College System of Nevada (UCCSN). That would allow the UCCSN to match the maximum amount of federal funds for loans to students.

ASSEMBLYMAN SEALE MOVED TO DO PASS A.B. 107.

ASSEMBLYWOMAN McCLAIN SECONDED THE MOTION.

THE MOTION CARRIED. (Speaker Perkins was not present for the vote.)

* * * * *

Chairman Arberry asked the Committee to consider BDR S-1392 for Committee introduction.

- **BDR S-1392: Authorizes and provides funding for certain projects of capital improvement. (A.B. 204)**

Mr. Stevens explained that the Public Works Board (PWB) had requested that the Legislature pass an early Capital Improvement Project (CIP) bill, which usually was not passed until the end of session. Mr. Stevens stated that the main bill regarding CIPs would still be passed at the end of session. There were four projects included in the BDR for which the PWB was requesting early

approval. Mr. Stevens said one project was the Emergency Operations Center, which would lock in federal dollars and the PWB indicated that the bill would have to pass by the end of March or it would be at some risk regarding the federal funding for that project. Hopefully, the bill would be introduced quickly and a special meeting of the Committee would be held.

ASSEMBLYMAN MARVEL MOVED COMMITTEE INTRODUCTION
OF BDR S-1392 (A.B. 204).

ASSEMBLYWOMAN GIUNCHIGLIANI SECONDED THE MOTION.

THE MOTION CARRIED. (Mr. Perkins was not present for the
vote.)

* * * * *

The following letters were submitted to the Committee for inclusion in the
record:

- [Exhibit F](#): Letter from David C. Love regarding A.B. 53.
- [Exhibit G](#): Letter from Barry Gold dated March 14, 2005, regarding A.B. 53.

With no further business to come before the Committee, Chairman Arberry
adjourned the meeting at 10:29 p.m.

RESPECTFULLY SUBMITTED:

Carol Thomsen
Committee Attaché

APPROVED BY:

Assemblyman Morse Arberry Jr., Chairman

DATE: _____

<u>EXHIBITS</u>				
Committee Name: <u>Committee on Ways and Means</u>				
Date: <u>March 14, 2005</u> Time of Meeting: <u>8:30 a.m.</u>				
Bill #	Exhibit ID	Witness	Dept.	Description
	A			Agenda
99	B	Dennis George		SW Defense Alliance
41	C	The Hon. Jackie Glass		Mental Health Court
53	D	Kenya Pierce	CCSN	Written testimony
102	E	Judith Winzeler		Nevada Humanities
53	F	David C. Love		Letter for record
53	G	Barry Gold	AARP	Letter for record 3/14/05