

**MINUTES OF THE
SENATE COMMITTEE ON HUMAN RESOURCES AND EDUCATION**

**Seventy-third Session
May 18, 2005**

The Senate Committee on Human Resources and Education was called to order by Chair Maurice E. Washington at 1:40 p.m. on Wednesday, May 18, 2005, in Room 2135 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to the Grant Sawyer State Office Building, Room 4412, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file at the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Maurice E. Washington, Chair
Senator Barbara K. Cegavske, Vice Chair
Senator Dennis Nolan
Senator Joe Heck
Senator Bernice Mathews
Senator Valerie Wiener
Senator Steven Horsford

GUEST LEGISLATORS PRESENT:

Assemblywoman Barbara E. Buckley, Assembly District No. 8
Assemblyman David R. Parks, Assembly District No. 41

STAFF MEMBERS PRESENT:

Leslie K. Hamner, Committee Counsel
Marsheilah D. Lyons, Committee Policy Analyst
Cynthia Cook, Committee Secretary

OTHERS PRESENT:

Dan Musgrove, Clark County
Michael R. Alastuey, Clark County; University Medical Center
Carole Vilardo, Nevada Taxpayers Association
Sabra Smith-Newby, City of Las Vegas
Paula Berkley, Service Employees International Union Local 1107

Senate Committee on Human Resources and Education
May 18, 2005
Page 2

Dr. Lawrence Sands, Director, Community Health Services Division, Clark
County Health District
Michael J. Willden, Director, Department of Human Resources
Charles Duarte, Administrator, Division of Health Care Financing and Policy,
Department of Human Resources
Jack Kim, Nevada Association of Health Plans
Andrew List, Nevada Association of Counties
Christina Dugan, Las Vegas Chamber of Commerce
Bill Welch, Nevada Hospital Association
Michael Pennington, Reno-Sparks Chamber of Commerce

CHAIR WASHINGTON:

We will open the hearing on Assembly Bill (A.B.) 380.

[ASSEMBLY BILL 380 \(2nd Reprint\)](#): Revises provisions concerning district
boards of health in larger counties. (BDR 40-953)

ASSEMBLYMAN DAVID R. PARKS (Assembly District No. 41)

This bill came about as a result of discussions I had with members of the
community regarding the Clark County Health District (CCHD). Two important
issues are: representation on the district boards of health and finding a funding
mechanism to support the operations with a dedicated funding source.
Section 3 stipulates that the provisions of the bill apply to counties with a
population of 400,000 or more. Section 4 deals with the selection of the
representatives on the district health board. There may be some concern relative
to section 7, subsection 2, which deals with the level of funding on each
\$100 of assessed valuation of all taxable property. It is intended to come out of
existing revenue. Section 8 addresses the qualifications of the district health
officer. Section 9 deals with jurisdiction over the duties and responsibilities of
the district. Section 10 formalizes the process for grants and accounting
procedures.

DAN MUSGROVE (Clark County):

Clark County has proposed an amendment to A.B. 380 ([Exhibit C](#)). Clark County
and the CCHD have agreed that the CCHD would administer Clark County's
vector-control program. This is not a tax increase. It is an allocation from the
existing county-wide property rate. The language in [Exhibit C](#) can be changed
by the Legal Division of the Legislative Counsel Bureau (LCB). Currently,
Clark County government has the responsibility for vector control and the CCHD

Senate Committee on Human Resources and Education
May 18, 2005
Page 3

has the responsibility for investigations. As a public health agency, the CCHD understands if something is being spread throughout the community. It would be better if the control and investigation were under one oversight body.

SENATOR MATHEWS:

This measure is a way to transfer the money.

MR. MUSGROVE:

Yes, in order to give the district the adequate funding to take on the additional responsibility. Currently, the program is paid through Clark County general funds. By giving the CCHD a dedicated funding stream, the funds will be directly disbursed at no additional taxpayer expense.

SENATOR MATHEWS:

Would you be opposed to the removal of section 7, subsection 2?

MR. MUSGROVE:

If section 7, subsection 2 were deleted, things would remain as they are today. The CCHD would come to the county with their budget and it would be funded by the county.

SENATOR MATHEWS:

We just gave people a property-tax break and you are taking it back.

MR. MUSGROVE:

Essentially, the property-tax break relates to total assessed valuation. This is an allocation of 3.5 cents to be dedicated directly to the district.

MICHAEL R. ALASTUEY (Clark County):

Currently, Clark County's overall operating rate is approximately 41 cents per \$100 of assessed value. Of that amount, the county grants an annual sum of approximately \$18 million to the health district for its operations. That contribution represents approximately 3 cents of the 41-cent property-tax rate. I submit if one were to take away that tax rate, not only would it take away the ability of the county to levy a tax rate on behalf of the CCHD, it would also place the county in jeopardy of providing any funding for the CCHD. This is intended to be revenue-neutral. The language provided in [Exhibit C](#) clearly shows that intent. The bill drafters will want that intent to be absolutely realized. It is not a detriment to the taxpayers.

Senate Committee on Human Resources and Education
May 18, 2005
Page 4

SENATOR MATHEWS:

If this is not a detriment to the taxpayers, why is it needed?

MR. ALASTUEY:

There are two ways to provide the CCHD with funds. One is a direct grant from the county. The second method is to provide an allocated tax levy.

SENATOR CEGAVSKE:

What is the dollar amount of this measure?

MR. MUSGROVE:

Based on the assessed value of property in Clark County, we think 3.5 cents of \$100 of assessed value will generate approximately \$22,574,000 for 1 year. The current approved request from the health district is \$20,330,000. The additional revenue requested is meant for the CCHD to assume responsibility for vector control.

SENATOR CEGAVSKE:

Is this in addition to the amount budgeted?

MR. MUSGROVE:

Yes, based on the fact the CCHD will take on additional responsibilities.

SENATOR CEGAVSKE:

Are we looking at approximately \$42 million?

MR. MUSGROVE:

No, we are looking at approximately \$22 million. This would replace the budgeted general-fund money normally given to the CCHD.

SENATOR CEGAVSKE:

Who oversees the spending of this allocation?

MR. MUSGROVE:

The bill outlines the requirement for the preparation of an annual operating budget required by the Clark County District Board of Health to be submitted to the board of county commissioners before April 1 of each year.

Senate Committee on Human Resources and Education
May 18, 2005
Page 5

SENATOR CEGAVSKE:

What happens if there is excess money?

MR. MUSGROVE:

Any excess money would go to the CCHD. We believe the extra responsibilities being given require additional funds.

CHAIR WASHINGTON:

Could the board of county commissioners reduce the amount allocated to the CCHD, based upon the budget?

MR. MUSGROVE:

That is correct. Our intent is not to give the CCHD a windfall at the expense of county services. Essentially, the allocation is to meet the needs of the CCHD.

SENATOR HORSFORD:

Could you explain the reason for putting all of this into statute?

ASSEMBLYMAN PARKS:

In existing statute, there are certain qualifications for a district health officer. Assembly Bill 380 strengthens those qualifications.

SENATOR HORSFORD:

We are codifying and clarifying existing statutes.

ASSEMBLYMAN PARKS:

Yes, and we are adding a certain level of qualification for the added level of responsibility. Including tourists, we are approaching a daily population of 2 million people in Clark County.

CAROLE VILARDO (Nevada Taxpayers Association):

The Nevada Taxpayers Association opposes section 7, subsection 2, of A.B. 380. We have no idea if an allocation of a rate is possible. The county operating rate may vary. If the county has been paying for the district, I cannot understand why an allocation is required. If there are budgetary needs, the counties are going to be required to figure out how to operate within the constraints of the revenue received, based upon the capitation. If the best way to operate the health district is as a sub-function of county general government,

then it would seem important to have the budget approved, and provide the revenue needed based upon the conditions.

CHAIR WASHINGTON:

If there is a way to provide language which will specify the counties are to evaluate the abatement and vector issues so that the health district receives the necessary funding, will that take care of the issue?

Ms. VILARDO:

I do not think so. I would be glad to work with the county to try to resolve this issue.

CHAIR WASHINGTON:

I do not want this Committee or the Legislature to manage the county commissioners. If the appropriation method will not work, then we need to allow the commissioners to have some flexibility to deal with the abatement and vector issues.

Ms. VILARDO:

The county is currently expending funds to do vector control. The request in [Exhibit C](#) is to increase the levy from 3.25 cents on each \$100 of assessed valuation to 3.5 cents. Unless a good way to appropriate these funds is found, the county could dedicate the monies within their own budget constraints to fund the health district.

CHAIR WASHINGTON:

The language could be permissible to allow the county to handle this matter.

Ms. VILARDO:

The county has the authority to do as you suggest once the budget is submitted. Section 7, subsection 2 of A.B. 380 could be deleted.

SABRA SMITH-NEWBY (City of Las Vegas):

The City of Las Vegas does vector control under some conditions. I do not know if this amendment would take the responsibility from the city and give it to the CCHD.

Senate Committee on Human Resources and Education
May 18, 2005
Page 7

PAULA BERKLEY (Service Employees International Union Local 1107):

The Service Employees International Union does not have any objection to the bill. If an appropriation is decided upon and it comes up short, the county should still be responsible.

VICE CHAIR CEGAVSKE:

Mr. Musgrove, you stated the health district needs to perform the abatement and vector responsibilities. What is the amount of federal funding the county receives for those programs?

MR. MUSGROVE:

I do not know the answer. I will find out for you.

DR. LAWRENCE SANDS (Director, Community Health Services Division, Clark County Health District):

The Clark County Health District is in favor of this bill, with the proposed amendments. From the perspective of the district, this is a way of formalizing what is practiced between Clark County and the CCHD.

SENATOR MATHEWS:

In the original form of the bill, it appears subsection 2 of section 7 gives the health district the requested authority. Why was the bill amended to include the rate of 3.25 cents on each \$100 of assessed value?

ASSEMBLYMAN PARKS:

Between the initial printing of the bill and the subsequent reprints, there was discussion relative to finding a guaranteed revenue source for the district health departments. When the district health departments were created for Washoe County and Clark County, the State made a pledge of revenue based upon population. There are functions that need the basic support tax. From the initial bill to the second reprint, the amount was added to give the district health departments assurance that they would have a dedicated source of revenue at a level they could project.

SENATOR HECK:

I am a consultant to the Clark County Health District for Emergency Medical Services and Public Health Preparedness. This bill has no affect on those areas. The proposal to give the districts a dedicated revenue source would allow them to have a bonding capacity for future infrastructure needs.

Senate Committee on Human Resources and Education
May 18, 2005
Page 8

I am proposing an amendment to A.B. 380 ([Exhibit D](#)). It provides the nonelected representatives on the district board of health are selected by the elected members, and requires the district health officer have ten years of management experience.

SENATOR HORSFORD:

If we adopt the language in [Exhibit D](#), the two county commissioners, the two representatives from the largest incorporated city and the one representative from a body of each of the other cities in the county would select the at-large appointees.

SENATOR HECK:

The eight elected individuals come together as the elected members of the district board of health. As a group they will select the additional five members.

SENATOR HORSFORD:

I have a concern with the appointment of at-large members by the elected members. Representation on the district board of health, as it relates to underserved communities, should be people who know the health needs of these communities. Part of the role of a health district is to serve the community. In my opinion, the best way to do that is to be sure there is representation from all of the community.

SENATOR CEGAVSKE:

I believe there is federal funding available to the health districts for vector control.

MICHAEL J. WILLDEN (Director, Department of Human Resources):

There is funding that is allocated to the health districts for vector control. I do not know the amount, but will have your answer shortly.

VICE CHAIR CEGAVSKE:

We will close the hearing on A.B. 380, and open the hearing on A.B. 493.

ASSEMBLY BILL 493 (1st Reprint): Requires Department of Human Resources to apply for Medicaid waiver pursuant to Health Insurance Flexibility and Accountability demonstration initiative. (BDR 38-736)

Senate Committee on Human Resources and Education
May 18, 2005
Page 9

ASSEMBLYWOMAN BARBARA E. BUCKLEY (Assembly District No. 8):

I have a PowerPoint presentation ([Exhibit E](#), original is on file at the [Research Library](#)) that will explore ways of using existing county or state money to expand health care to certain uninsured individuals.

SENATOR HORSFORD:

How will pregnant women and the working poor learn about the enrollment requirements and the benefits of the program?

CHARLES DUARTE (Administrator, Division of Health Care Financing and Policy, Department of Human Resources):

The outreach activities will occur naturally because hospitals and other providers have an incentive. Currently, hospitals provide assistance to pregnant women as well as other individuals in applying for Medicaid coverage. There will be an interest by the providers to dispense information about available benefits through the Health Insurance Flexibility and Accountability (HIFA) initiative. We are hoping there will be enough information available for small employers to be aware of the available subsidy.

SENATOR HORSFORD:

When an uninsured patient is admitted to a hospital, how long is the qualification process? Also, will the patient be required to pay bill charges until qualified?

MR. DUARTE:

The application process for pregnant women is fairly simple. For people who may qualify under the catastrophic component of HIFA, the hospitals will need to implement a system. The Division of Health Care Financing and Policy will work with the hospitals to establish guidelines. Eligibility will be done retrospectively.

ASSEMBLYWOMAN BUCKLEY:

The Legislative Committee on Health Care Subcommittee to Study Health Insurance Expansion Options will follow up on the implementation of the program.

MR. DUARTE:

I would like to add, this measure is a component of the Governor's budget.

Senate Committee on Human Resources and Education
May 18, 2005
Page 10

JACK KIM (Nevada Association of Health Plans):
We are in support of this bill.

MR. ALASTUEY:
Clark County and the University Medical Center support this bill.

ANDREW LIST (Nevada Association of Counties):
The Nevada Association of Counties was originally skeptical of A.B. 493. We now feel it will keep the counties whole, and we are in full support.

CHRISTINA DUGAN (Las Vegas Chamber of Commerce):
The Las Vegas Chamber of Commerce supports this bill.

BILL WELCH (Nevada Hospital Association):
The Nevada Hospital Association is in support of this bill.

MICHAEL PENNINGTON (Reno-Sparks Chamber of Commerce):
The Reno-Sparks Chamber of Commerce is in favor of this bill.

VICE CHAIR CEGAVSKE:
We will close the hearing on A.B. 493. Mr. Willden has informed me that the Health Division gives \$45,000 to the Clark County Health District for West Nile vector control.

ASSEMBLYWOMAN BUCKLEY:
I am proud to be the sponsor of Assembly Joint Resolution (A.J.R.) 6.

ASSEMBLY JOINT RESOLUTION 6: Urges Congress to amend the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 to provide affordable, easily understood coverage for prescription drug benefits. (BDR R-152)

ASSEMBLYWOMAN BUCKLEY:
This Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (MMA) passed with less than enthusiastic support by the members of Congress. Representatives on both sides of the aisle had misgivings about this bill. There have been allegations the budget figures for the MMA were underestimated. After the bill was signed, the estimate was revised to \$534 billion for the first decade. In the current version, the law requires seniors and other beneficiaries

Senate Committee on Human Resources and Education
May 18, 2005
Page 11

to pay more for prescription drugs in the near future. The Congressional Budget Office estimates the premiums will rise from approximately \$37 a month to \$68 a month by 2015. Over the same period of time, the annual deductible is expected to increase by 89 percent. There is a coverage gap between the basic and catastrophic drug coverage. After payment of the premium and a \$250 deductible, Medicare will cover 75 percent of drug costs up to \$2,250 annually. Coverage then stops for the next \$2,850 in drug costs. The act allows the plan to be implemented through private options, and the legislation prohibits discounts from being negotiated. This resolution says our seniors deserve better.

CHAIR WASHINGTON:

We will close the hearing on A.J.R. 6. There is an amendment offered to Senate Bill (S.B.) 205.

[SENATE BILL 205 \(2nd Reprint\)](#): Revises provisions governing criminal and civil liability for engaging in certain acts relating to cemeteries. (BDR 40-797)

SENATOR WIENER MOVED TO CONCUR WITH AMENDMENT NO. 715 TO S.B. 205.

SENATOR CEGAVSKE SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR NOLAN WAS ABSENT FOR THE VOTE.)

CHAIR WASHINGTON:

There is an amendment offered to S.B. 261.

[SENATE BILL 261 \(2nd Reprint\)](#): Includes snowboarders in provisions governing skier safety. (BDR 40-1155)

SENATOR WIENER MOVED TO CONCUR WITH AMENDMENT NO. 716 TO S.B. 261.

SENATOR HECK SECONDED THE MOTION.

Senate Committee on Human Resources and Education
May 18, 2005
Page 12

THE MOTION CARRIED. (SENATORS NOLAN AND CEGAVSKE WERE ABSENT FOR THE VOTE.)

MARSHEILAH D. LYONS (Committee Policy Analyst):
The first measure for the work session is A.B. 42. It is located under tab A of the work session document ([Exhibit F](#), original is on file at the Research Library).

ASSEMBLY BILL 42 (1st Reprint): Makes various changes concerning protection of children from abuse and neglect. (BDR 38-670)

MR. WILLDEN:

The amendment offered to A.B. 42 by the Department of Human Resources has been agreed to by Assemblywoman Buckley and the child-welfare agencies.

SENATOR WIENER MOVED TO AMEND AND DO PASS AS AMENDED A.B. 42.

SENATOR MATHEWS SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR NOLAN WAS ABSENT FOR THE VOTE. SENATOR CEGAVSKE ABSTAINED FROM THE VOTE.)

MS. LYONS:

The next measure, A.B. 43, is located under tab B of [Exhibit F](#).

ASSEMBLY BILL 43 (1st Reprint): Establishes certain rights for children who are placed in foster homes. (BDR 38-672)

SENATOR MATHEWS:

What is the definition of "wise care" stated in the purposes of the proposed amendment?

LESLIE K. HAMNER (Committee Counsel):

The term "wise care" is used in *Nevada Revised Statute* (NRS) 424.060 as grounds for removing a child from undesirable foster care. It is older language,

Senate Committee on Human Resources and Education
May 18, 2005
Page 13

but current law. If a licensing authority finds that a child in foster care lacks proper or wise care and management, the licensing authority notifies the agency that placed the child in the home to remove the child.

SENATOR HORSFORD MOVED TO AMEND AND DO PASS AS AMENDED
A.B. 43.

SENATOR WIENER SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR NOLAN WAS ABSENT FOR THE
VOTE.)

* * * * *

Ms. LYONS:

The next measure, A.B. 59, is located under tab C of [Exhibit F](#).

ASSEMBLY BILL 59 (1st Reprint): Makes certain changes to reporting requirements for sentinel events at medical facilities. (BDR 40-1025)

SENATOR HECK MOVED TO DO PASS A.B. 59.

SENATOR WIENER SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

* * * * *

Ms. LYONS:

The next measure, A.B. 280, is located under tab D of [Exhibit F](#).

ASSEMBLY BILL 280 (1st Reprint): Revises provisions regarding University and Community College System of Nevada. (BDR 34-85)

Ms. LYONS:

Section 2 is amended to include language related to the transfer of credits. Section 4 is amended to improve access to dual-credit courses for high school students. This language was agreed upon by the University and Community College System of Nevada (UCCSN) and the sponsor of the bill.

CHAIR WASHINGTON:

Section 6 will change the term for a member of the Board of Regents from 6 years to 4 years. I believe the term should remain at 6 years. We will review the rest of the amendments.

Ms. LYONS:

Section 7 relates to the transfer of credits to other institutions. This language was agreed upon by the UCCSN. The language makes reference to the regents' policy, and states all credits earned toward the completion of an associate's degree must automatically transfer toward the course work required for the award of a baccalaureate degree.

SENATOR CEGAVSKE:

Will this alleviate the problem concerning the transfer of credits from the community college? Is there any language that clarifies the catalog of the course?

Ms. HAMNER:

The language requires every credit to transfer, regardless of how it is designated.

SENATOR MATHEWS:

This measure will be very helpful. It will not clear up all of the problems that students will encounter. Students from Truckee Meadows Community College could transfer all of their nursing credits to any of the colleges in California, but they could not transfer the credits to the University of Nevada, Reno or the University of Nevada, Las Vegas. The two universities will continue to get around this by transferring all of those credits to the university, but they will not transfer to their college. This does not say the credits have to be transferred to their college, and therein lays the catch. The university will affirm they will take the community college credits, but they will not go toward a student's degree. I believe the intent was right; it needs to go further.

Ms. LYONS:

We will request clarification from the UCCSN. I believe Senator Mathews is referring to the UCCSN trying to distinguish between courses a student takes at the community college which do not meet the requirements for a particular university program.

Senate Committee on Human Resources and Education
May 18, 2005
Page 15

SENATOR MATHEWS:

This will help students get into the university, but the credits will not go toward the program.

CHAIR WASHINGTON:

We will hold this bill until this issue is clarified.

SENATOR CEGAVSKE:

I do not mind holding the bill. I want to make sure we have the right language.

CHAIR WASHINGTON:

The university did testify that between the community college system and the university system, depending on the course of study, the university may have different expectations.

SENATOR MATHEWS:

That is exactly my point. The credits will go towards a general studies degree, but if a student wants to attend a specific college, the credits may not apply. This amendment does not accomplish that.

CHAIR WASHINGTON:

After receiving clarification, this issue can be corrected on the floor of the Senate.

Ms. LYONS:

The final amendment has been proposed by Senator Schneider. If the catalog of a course of study changed while a student is completing the requirements for a major, they would be held to the original catalog.

SENATOR HORSFORD MOVED TO ACCEPT THE AMENDMENT TO ELECT MEMBERS OF THE BOARD OF REGENTS FOR A PERIOD OF 4 YEARS.

SENATOR MATHEWS SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR WASHINGTON VOTED NO.)

Senate Committee on Human Resources and Education
May 18, 2005
Page 16

SENATOR HORSFORD:

I would like to add an amendment to propose that a student representative be identified as a member of the Board of Regents.

CHAIR WASHINGTON:

We will first vote on the proposed amendments of A.B. 280 as described in [Exhibit F](#) under tab D.

SENATOR MATHEWS MOVED TO ACCEPT THE PROPOSED AMENDMENTS FOR A.B. 280 DESCRIBED IN [EXHIBIT F](#).

SENATOR WIENER SECONDED THE MOTION.

SENATOR CEGAVSKE:

I would like a description of the amendment proposed by Senator Schneider.

MS. LYONS:

The amendment is trying to ensure that a student who enrolls in a program is entitled to meet the requirements of the catalog applicable at the time of enrollment. The student would have 10 years to complete the program under that catalog.

THE MOTION CARRIED UNANIMOUSLY.

SENATOR HORSFORD MOVED TO AMEND A.B. 280 TO ADD A NONVOTING STUDENT REPRESENTATIVE TO THE BOARD OF REGENTS.

SENATOR WIENER SECONDED THE MOTION.

SENATOR CEGAVSKE:

My understanding is that the students are currently allowed to speak before the Board of Regents. Since the Board of Regents is an elected body, I do not feel comfortable mandating an appointment.

SENATOR HORSFORD:

I would be willing to modify my suggested amendment to permit the Board of Regents to appoint a student representative who does not vote.

Senate Committee on Human Resources and Education
May 18, 2005
Page 17

SENATOR MATHEWS:

I am uncomfortable with this measure. I would like to hear an exchange of ideas with the students and the Board of Regents.

SENATOR NOLAN:

I agree that we should discuss this suggestion with the students and the Board of Regents before proceeding with this idea.

THE MOTION CARRIED. (SENATORS CEGAVSKE, NOLAN AND MATHEWS VOTED NO.)

CHAIR WASHINGTON:

We now need a motion to amend and do pass the entire bill.

SENATOR WIENER MOVED TO AMEND AND DO PASS AS AMENDED A.B. 280.

SENATOR HECK SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Ms. LYONS:

The next measure, A.B. 342, is located under tab E of [Exhibit F](#).

[ASSEMBLY BILL 342 \(1st Reprint\)](#): Makes various changes concerning analysis, reporting and provision of health care services. (BDR 40-1163)

SENATOR HORSFORD MOVED TO AMEND AND DO PASS AS AMENDED A.B. 342.

SENATOR WIENER SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Ms. LYONS:

The Nevada Hospital Association has presented an additional amendment to A.B. 342. There was also a proposal to amend the bill to be effective upon passage and approval as opposed to October 1, 2005.

MR. WELCH:

It was not the intention to include the rural community hospitals in this measure. This will further clarify that the rural hospitals are not to be included. Substituting "methodology" for "policy" makes the language consistent with current regulations.

SENATOR WIENER MOVED TO RESCIND THE PREVIOUS ACTION TAKEN ON A.B. 342.

SENATOR CEGAVSKE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

SENATOR HORSFORD MOVED TO AMEND AND DO PASS AS AMENDED A.B. 342 WITH ALL OF THE SUGGESTED AMENDMENTS.

SENATOR WIENER SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Ms. LYONS:

The next measure, A.B. 369, is located under tab F of [Exhibit F](#).

ASSEMBLY BILL 369 (1st Reprint): Establishes certain procedures and requirements for admission of children who are in custody of agencies which provide child welfare services to mental health facilities. (BDR 38-717)

Senate Committee on Human Resources and Education
May 18, 2005
Page 19

MR. WILLDEN:

The Department of Human Resources has conferred with the sponsor of the bill, the Division of Child and Family Services, Washoe County Social Services, Clark County Family Services and the Children's Attorney Project. They all concur with the proposed amendments. The amendment deletes references to NRS 433A.310 and refers to NRS 432B.500. Section 3 specifically defines the meaning of facility and section 5 is enabling language to petition the court before admitting a child to a facility. Some of the language is changed in order to have uniformity. The word "detention" is replaced by the word "placement." We are trying to make the measure more child-friendly and not use language that is in adult statutes.

SENATOR MATHEWS:

Section 6, subsection 1, states that there must be a court order before a child is admitted to a facility. Has a judge ever refused to have a child admitted?

MR. WILLDEN:

The children are no longer taken to court. We have frequent dialogue with the courts regarding the placement. The courts want to know if the placement being recommended is the least restrictive environment. The emphasis of this measure is to make sure children are not being placed in a locked facility without a full review.

SENATOR WIENER MOVED TO AMEND AND DO PASS AS AMENDED
A.B. 369.

SENATOR HORSFORD SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

MS. LYONS:

The next measure, A.B. 523, is located under tab G of [Exhibit F](#).

ASSEMBLY BILL 523 (1st Reprint): Authorizes local boards of health to investigate complaints concerning agricultural programs of University and Community College System of Nevada. (BDR 40-1123)

Senate Committee on Human Resources and Education
May 18, 2005
Page 20

SENATOR WIENER MOVED TO DO PASS A.B. 523.

SENATOR MATHEWS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

CHAIR WASHINGTON:

There being no other issues before us today, this meeting of the Senate Committee on Human Resources and Education will now adjourn at 4:17 p.m.

RESPECTFULLY SUBMITTED:

Cynthia Cook,
Committee Secretary

APPROVED BY:

Senator Maurice E. Washington, Chair

DATE: _____