

**MINUTES OF THE
JOINT MEETING OF THE
ASSEMBLY COMMITTEE ON HEALTH AND HUMAN SERVICES
AND THE
SENATE COMMITTEE ON HUMAN RESOURCES AND EDUCATION**

**Seventy-Fourth Session
February 7, 2007**

The Assembly Committee on Health and Human Services and the Senate Committee on Human Resources and Education was called to order by Chair Sheila Leslie at 2:10 p.m., on Wednesday, February 7, 2007, in Room 1214 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.leg.state.nv.us/74th/committees/. In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (e-mail: publications@lcb.state.nv.us; telephone: 775-684-6835).

**ASSEMBLY COMMITTEE ON HEALTH AND HUMAN SERVICES MEMBERS
PRESENT:**

Assemblywoman Sheila Leslie, Chair
Assemblywoman Susan I. Gerhardt, Vice Chair
Assemblyman Bob L. Beers
Assemblyman Dr. Joseph P. (Joe) Hardy
Assemblywoman Ellen M. Koivisto
Assemblywoman Kathy McClain
Assemblywoman Bonnie Parnell
Assemblywoman Peggy Pierce
Assemblyman Lynn D. Stewart
Assemblywoman Valerie E. Weber
Assemblywoman RoseMary Womack



**SENATE COMMITTEE ON HUMAN RESOURCES AND EDUCATION MEMBERS
PRESENT:**

Senator Maurice E. Washington, Chair
Senator Barbara K. Cegavske, Vice Chair
Senator Joseph (Joe) J. Heck
Senator Steven A. Horsford
Senator Dennis Nolan
Senator Valerie Wiener
Senator Joyce L. Woodhouse

STAFF MEMBERS PRESENT:

Sarah J. Lutter, Committee Policy Analyst, Research Division, LCB
Marshellah D. Lyons, Committee Policy Analyst, Research Division, LCB
Joe McCoy, Committee Policy Analyst, Research Division, LCB
Sara Partida, Committee Counsel
Patricia Evans, Committee Secretary
Sherrada Fielder, Committee Secretary
Betty Ihfe, Committee Secretary
Shauna Kirk, Committee Secretary
Patricia Vardakas, Committee Secretary
Olivia Lloyd, Committee Assistant

GUEST LEGISLATORS PRESENT:

Assemblyman David P. Bobzien, Washoe County, Assembly District
No. 24

OTHERS PRESENT:

Rob Bovett, Legal Counsel to Oregon's Narcotics Enforcement Agency and
President of the Oregon Alliance for Drug-Endangered Children
Dawn Gibbons, First Lady of Nevada
Catherine Cortez Masto, Nevada Attorney General
Tammra Pearce, Executive Director, Bristlecone Family Resources
(methamphetamine Treatment Center in Washoe County)
Richard Steinberg, President/CEO, West Care (methamphetamine
Treatment Center in Clark County)
Ken Furlong, Sheriff, Carson City Sheriff's Office

Chair Sheila Leslie:

Called the meeting to order.

Welcome to everyone here today. We have not seen a crowd like this in the Legislature for some time. Thank you all for coming, especially the students from Nevada Hispanic Services.

I would like to turn the meeting over to the co-Chair who would like to begin the meeting.

Senator Washington:

Madam Chair, to you, what a great vision and insight to hold this meeting with the joint Committees from the Assembly and Senate. I am in awe at the crowd and those who have come out to listen as we deal with this plight in our community and State. Before we start the hearing, there is a poem I have asked to be read into the record. The poem is from a young lady, Judy West, who was caught up in the syndrome of this illness and sickness.

Marsheilah D. Lyons, Committee Policy Analyst, Research Division:

Reads the poem into the record ([Exhibit C](#)).

Senator Washington:

The caption of the poem says that Judy West was a young lady who was in jail on drug charges and was addicted to meth. She wrote the poem while she was in jail. The interesting thing about it is she was released from jail and a few days later was found dead with a needle in her arm.

Chair Leslie:

Thank you Senator.

I want to acknowledge a few other people before we get started. Assemblyman David Bobzien, the First Lady of Nevada, Dawn Gibbons and the Nevada Attorney General.

We would like to start off with a brief segment from a show that was aired in Reno during the month of January. The show was put together by Secret Witness and aired on every television station. In your packets, you have a copy of the DVD ([Exhibit D](#)). We want to acknowledge Sheriff Ken Furlong and his daughter Kendra for participating in the video. Also in your packet is [Exhibit E](#).

[Viewing of a segment of the video [Crystal Darkness](#).]

Chair Leslie:

We would like to start off with our guest speaker, Rob Bovett from Oregon. Mr. Bovett has done work on public policy issues and methamphetamine in Oregon. Nevada leads the nation in per capita methamphetamine use, both adult and youth. Oregon, however, is not far behind.

Rob Bovett, Legal Counsel to Oregon's Narcotics Enforcement Agency and President of the Oregon Alliance for Drug-Endangered Children:

Thank you for inviting me back to your State. You are one of a handful of states that recognizes the significant problem of the meth epidemic. I have been tasked with giving you a short synopsis of my longer presentation.

Gives Microsoft PowerPoint and video presentation on methamphetamine ([Exhibit F](#)).

Chair Leslie:

Questions for Mr. Bovett from either Committee?

Senator Cegavske:

Thank you for the presentation. We have all gained a lot of education by looking at this issue. What we hear and what we read in the papers is a nightmare.

One of the concerns that I have is with the law enforcement part of it. In 2001 I had the privilege of going on a raid with Clark County (law enforcement). They put together a program that took two years to complete and targeted 15 locations, including places we all frequented. There were stores where schools bought their supplies, who were selling out the back. When confronted, the store operators could only be charged with tax evasion.

Does Oregon have the same problem that we do, or are there other crimes you can charge them with? I know of child-endangerment; all the states have that. In 2001 I had a bill to do what you talked about, but it died in committee, and I am sorry I did not continue each session to bring it to the forefront.

Rob Bovett:

I would tell you that the convenience stores are legitimate, but there are a small percentage selling in bulk out the back door. I have not run into any pharmacies that do it and only a few grocery stores, but mostly the convenience stores. We addressed it in a number of ways. One, traditional law enforcement has to be empowered to deal with it in a couple of ways. In Oregon, as part of our

comprehensive meth legislation, we provided the State police with a specific budget for meth enforcement teams who focused on the higher level. Part of the legislation was to enact laws to give law enforcement teeth so they do not have to rely upon tax evasion. We enacted strong precursor sale controls. If somebody knowingly or intentionally sells precursors, knowing they are going to be used to manufacture meth, it is a high level felony in the State of Oregon and is treated seriously. As I view it, an innocent clerk not complying with the Combat Meth Epidemic Act is completely different from a store owner selling cases out the back door.

Chair Leslie

Other questions?

Senator Washington:

You indicated something about the purity of the meth because the supply source is being cut off. There is a new phenomenon out on the street, "quick" and "strawberry delight." Is that to substitute for the purity of the meth because they cannot get the proper supplies they are looking for, or is it to induce and entice younger users?

Rob Bovett:

It is about making the drugs more attractive to the youth. There is indication that they are targeting their cut in different fashions. If a drug cartel wanted to cut separately, they would not cut stuff to the new users; they would cut the stuff to the later users. We are seeing that, but I suspect your strawberry meth is entirely driven by a desire to attract youth to start using the drug. I have talked to some addicts about this, and they cannot figure out how, other than visually, it is attractive. While injecting it, you are not going to taste strawberry, and they tell me that by smoking it through the traditional means meth is smoked, you will not get that strawberry flavor either, so it has to be just the appearance. I have seen pictures of the strawberry meth that has shown up on your streets and it does look like strawberry rock candy.

Senator Washington:

Is it ingested, cooked, injected, or smoked?

Rob Bovett:

It could be any of them. The full-blown addict is going to want the rush that is followed by the high. You only get the rush by injecting or smoking it, but you can eat it, you can put it in liquids and swallow it, you can snort it, but generally the full-blown addicts are going to inject it or smoke it. I wanted to mention to you that my presentation has been provided in hardcopy for

everyone here, but if anyone wants it in PDF format, it will be available on the Join Together Northern Nevada website at www.jtnn.org.

Senator Washington:

In this State we have drug courts. What role has Oregon devised for the courts to play in either the treatment or prevention of and with the law enforcement side of dealing with the meth epidemic?

Rob Bovett:

Oregon is focused on, and has placed a high priority on drug courts. It is among the short list of evidence-based practices of remedying meth addicts. It is a powerful tool, and it requires law enforcement participation and high accountability. Many of the drug courts were started with seed money grants but have lost their funding.

During the 2005 Legislative Session, we had legislation for an additional \$6 million to sustain funding for what we already had and to grow a few more courts. This past Monday, the Senate Finance and Revenue Committee approved \$17 million dollars more to keep what we had in drug courts and treatment and to grow it. It may take an economic investment at the State level to make sure you do not lose the investment in the drug courts you already have.

Senator Washington:

In another aspect, you talk about collateral damage. When I think about collateral damage it is the family members that are affected by those using meth, including children, parents, and other offspring. Did Oregon foresee, or appropriate, additional funds to child and family services? At the county level it would be the county protective services. Did Oregon take that into account and did those local governments come back to the State to say they were willing to participate in whatever programs are put together, to assist with collateral damage, as opposed to taking the children out of the home? I understand the federal law, but it is true what you said: the parents want to be good parents, and law enforcement wants to keep the children with their parents, but there has to be another side of this that deals with the collateral damage to make sure there is an opportunity to reunite those children.

Rob Bovett:

That is the core essence of what we are here for. We struggle with that issue. Treatment is not always one of those things that necessarily sticks the first time. Sometimes it takes repeating episodes of treatment, but you save money down the road if you invest wisely in treatment.

What I would say about drug endangered children and families is I encourage you to develop drug endangered protocols and policies for early intervention for drug endangered children and to reunite families. What we discovered in Oregon is that unless you invest in treatment and have the treatment resources to fix the family, you are further exacerbating the problem. We tried in 2003 with no success and tried again with some success to start to build back our capacity with child protective services and family treatment. Mental health treatment for drug endangered children is another critical component. You have to build up all of that to get closer to the treatment on demand for parents.

Senator Washington:

What about the juvenile aspect of it?

Rob Bovett:

We have focused our money because we are not a treatment on demand system in Oregon. With the additional \$17 million, we have targeted and prioritized in favor of parents, pregnant women, and juveniles. We wanted to provide the best care for everybody, but we are not there yet.

Senator Cegavske:

When we were discussing this issue, one of the topics was the kids found in the meth labs. Did Oregon do anything to help facilitate the cleaning up of the children to analyze whether or not meth is in their system, and what was the outcome of their exposure? We don't have anything here that I know of. Do you have anything like they do in California for the children?

Rob Bovett:

In the 1990s, California started the first drug-endangered child movement. We have a comprehensive statewide alliance for drug endangered children. In 2004, the science came in proving the toxic exposure of children. As a result, the National Alliance for Drug Endangered Children adopted a model protocol. What I would tell you about children removed from meth labs is they have serious toxic exposure. The drug-endangered children I know of that came out of meth lab sites, are more damaged from not being parented than damaged from the chemical exposure. You have to have appropriate responses and measures to decontaminate and clean up the meth sites. Meth lab children are drug-endangered children level 1 (DEC Level 1).

Senator Cegavske:

So they were not exposed through the skin or through the food?

Rob Bovett:

All of the above. Many of the things we discovered through the study were remediable by removing the child, giving him a shower, feeding and clothing him appropriately.

Chair Leslie:

On behalf of the Legislature I want to thank you, Rob, [Bovett] for making the trip down.

Dawn Gibbons, First Lady of Nevada:

Today we are in a crisis. One caused by methamphetamine. We are number one in the nation in terms of usage. This illegal drug is threatening everyone in Nevada. The scope of this substance reaches from the wealthiest to the poorest, destroying lives, property and our State's economy. Methamphetamine is devastating. It is a twenty-first century plague that could literally destroy an entire generation and requires immediate action.

Raising awareness is the first step to addressing this major crisis. By partnering with you, law enforcement and other groups, we can do even better in Nevada, and we must.

Written testimony provided ([Exhibit G](#)).

Chair Leslie:

I want to acknowledge the people on videoconference from Las Vegas and thank you for being there. The Assembly Committee on Education starts at 3:45 p.m., so members are excused to attend that meeting.

Catherine Cortez Masto, Nevada Attorney General:

The methamphetamine problem in the State is my number one priority and I have been trying to find solutions to dealing with it for the last couple of years. The presentation given today is one of the best and comprehensive presentations I have seen. My presentation today is discussing, on a statewide level, the problem of methamphetamine. I will provide you with the statewide statistics and talk about what I would like to do in the future with the Governor and with the Task Force. Provided PowerPoint Presentation ([Exhibit H](#)).

Catherine Cortez Masto:

We need to take the best practices and learn how to work together to address the issue in our State. What we need now is to bring all the factors together: law enforcement, treatment, and education. We need to start coming together

now, and the Governor's Task Force is a start. The Governor has issued an Executive Order to put together a Task Force. There will be 15 members who are to report to the Governor by April 1, [2007] and December 31, [2007]. My intent as chair of the working group is to focus on finding solutions. It is time to start looking for solutions.

Assemblywoman Peggy Pierce:

Is the figure of 445 treatment beds for the State?

Catherine Cortez Masto:

Yes. For the State of Nevada.

Assemblywoman Pierce:

Do you know how it compares to the national average?

Catherine Cortez Masto:

No, but I can get you that information.

Assemblywoman Pierce:

Do you know in how many states pseudophedrine is a Class V prescription drug?

Catherine Cortez Masto:

I do not have any information, but I will tell you that with our State, we do not lead the nation in dealing with pseudophedrine and ephedrine. I can get that information for you.

Rob Bovett:

I do not know the latest, but it was up to 20. You can find out on the National Alliance for Model State Drug Laws. Roughly half the states have gone to level V and above.

Senator Steven Horsford:

I would like to commend our Attorney General and the First Lady. What I saw today is leadership. I would like to commend all those who are involved in bringing this issue to light. I would like to ask if the Task Force would be looking at any of the experiences of the cocaine and crack epidemics and the similarities or differences that drug caused to families and communities, and if we can learn what to do and what not to do as we approach solutions for the methamphetamine problem.

Catherine Cortez Masto:

That definitely is not ruled out. I am going to leave that to the treatment providers to bring that to the Task Force so we can move forward and find solutions. We need to look at the best practices used.

Senator Washington:

I appreciate your presentation and the Governor's leadership in putting together the Task Force and the strike team announced in his budget. Ms. Leslie and I have looked at this issue during discussions on health care issues over the 2005-2006 Interim. As the Governor develops the Task Force and the entities that will participate in it, we feel it was an issue that needed comprehensive legislation and that would allow those agencies to work together.

We proposed legislation during the interim to deal specifically with methamphetamine prevention and treatment and law enforcement. We also studied the role that the State can play with the Department of Health and Human Services, Division of Child and Family Services, and the Department of Education as well as services at the local level. We are waiting for the Bill Draft Request to come out. It will basically take a comprehensive look at what the Legislative Branch can do to develop a scheme to combat this statewide. If the legislation should pass, and we are fortunate to develop an interim committee to address the use and misuse of meth, we would like to work with the Task Force to develop a plan to work with the State.

Assemblywoman Weber:

I wanted to find out if you are going to survey what is happening in our neighbor states. It seems to focus in the West. We all are working in tandem with the other areas, do you see that kind of working group?

Catherine Cortez Masto:

Yes. The Attorneys General have a Western Association and I have already talked with Attorney General Hardy Myers from Oregon and Attorney General Mike McGrath from Montana and will continue to ensure western Attorneys General are communicating on what each state is doing. Our biggest concern is that we pass a law that pushes these people across the borders or vice versa. Yes, we have to work together, that is my intent.

Chair Leslie:

Our last scheduled speakers are two treatment providers. There are many treatment providers but we have asked one from each of the urban areas to come.

Tammra Pearce, Executive Director, Bristlecone Family Resources:

Bristlecone Family Resources is the oldest and largest nonprofit addiction treatment center in Washoe County, treating adults for alcohol, drug, gambling, and tobacco addiction. Bristlecone is one of five state-funded treatment agencies in Washoe County, comprising the safety net of services for low-income individuals and those without insurance. Bristlecone is the only publicly-funded agency in Washoe County to serve adult men and women in the full range of treatment including detoxification, residential, transitional living, outpatient, and family counseling services.

More than 60 percent of Bristlecone's adult clients have children under age 18. While we do not treat children, we do offer family counseling and prevention services at our site, and have a network of referrals for clients and their families to access. We know that healthy parents can raise healthy children, a critical component in ending the cycle of addiction in our community and our state.

Written testimony provided ([Exhibit I](#)).

Richard Steinberg, President/CEO, WestCare:

WestCare started 34 years ago. We started in Las Vegas and have now expanded to seven states and the United States Virgin Islands. We are serving over 80,000 people per year for drug addiction, mental health, or a combination of the two. We currently serve 53 percent on a national basis of meth users. Several of our programs treat pregnant women and young girls who are pregnant. Twenty six percent of adult pregnant women coming in are addicted to meth; forty-nine percent of the adolescent girls are pregnant and on meth.

Long term treatment is an issue, especially with methamphetamine. Twenty five years ago it was crack cocaine. When the crack cocaine issue came out, everyone said you need to work on the community and prevention. Funding was provided with 80 percent provided to law enforcement and 20 percent for everything else. At that time we had one of the largest increases in people being incarcerated. I have a concern that you will repeat what happened then.

Chair Leslie:

We have committee members that have commitments, but we will take public testimony.

Senator Cegavske:

Would it be possible before we meet again, to get all of the programs in the State to provide information on the cost and the best practices?

Chair Leslie:

We can ask our joint staff to prepare a background report including that information. For the public's information, this is not the last time we are going to talk about meth this Session. The Judiciary, Ways and Means, and Senate Finance Committees will be discussing this issue so today is not the only opportunity to comment. For those who provide public comment and testimony, we open it up to those of you in Las Vegas. If you are providing testimony, please come up to the table and identify yourself. We do want to hear from you.

Alvin Moyle, Chairman of the Fallon Paiute-Shoshone Tribe and Chairman of the Inter-Tribal Council of Nevada:

I appreciate the fact that this Committee is going to be looking at this issue. There were two individuals who spoke earlier on the statewide effort, and we need to look at a combined effort, that would include the tribes in the State. There are issues there that are the same issues in county and rural areas. In some cases, on the reservations, you have suppliers that are taking the time to come onto the reservation as they feel they are not going to be picked up. The State is not aware of the whole situation. I would like to become a member of the Task Force, or to be kept informed.

Chair Leslie:

Thank you for taking the time to come down here today on behalf of the tribes. And we certainly do not want to exclude the tribes. We know you are just as concerned about this epidemic as everyone else.

Gary Hall, Chief of Police, Fallon Paiute-Shoshone Tribe:

The tribes have sovereignty. Sovereignty does not mean that law enforcement agencies cannot work together in each other's jurisdiction upon request. No one will come onto the reservation to assist with an investigation or a warrant service. Not the Bureau of Indian Affairs, not the county, not the State. Requests have been made to other agencies but we have always been denied assistance. We believe that by drafting Memorandums of Understanding (MOUs) with the State and counties, we can get around this so we can work together so we are not separate jurisdictions with this problem. On our reservation we have a problem both with tribal and non-tribal people using methamphetamine and narcotics. People float freely between Fallon and the reservation. What we ask is that we come together to form some type of MOUs or agreement where we can work together and get assistance for each other.

Alvin Moyle:

Congressman Udall and Senator McCain have also introduced bills into the Omnibus Crime, Control, and Safe Streets Act that gives the tribes the opportunity to obtain grants to combat the epidemic we have. We are limited in funds, but we will be writing grants as soon as we can.

Bruce Whitney, Logandale, President, Community for Substance Abuse Wellness in Moapa Valley:

Our area covers Logandale, Overton, and Moapa. We are a non-profit. There is a need to fund intervention and treatment programs in the rural areas. Rural Nevada does not have the resources on the local level. We have little or no local resources. If the resources are not provided at the local level, they are of little or no benefit to us.

Chair Leslie:

Thank you for your testimony. We will not forget rural Nevada. Is there anyone else from Las Vegas or here in Carson City?

Christine McGill, Nevada Statewide Coalition Partnership of Lyon and Storey Counties:

We are ready to join hands with you. We have 13 coalitions across Nevada and have been working hard on prevention and have several strategies across several sectors. Having this one meeting here is helpful in joining forces, and we thank you.

Chair Leslie:

Any closing comments from Committee members?

This was a good session to start everyone off on this issue. Thank you for coming.

Senator Washington:

I want to thank you for your insight and wisdom in putting this together. Thank you.

Chair Leslie:

Meeting adjourned at 4:11 p.m.

RESPECTFULLY SUBMITTED:

Sherrada Fielder
Committee Secretary

APPROVED BY:

Assembly Committee on Health and Human Services
Sheila Leslie, Chair

DATE: _____

Senate Committee on Human Resources and Education
Senator Maurice Washington, Chair

DATE: _____

EXHIBITS

**Committee Name: Assembly Committee on Health and Human Services
/ Senate Committee on Human Resources and Education**

Date: 02/07/07

Time of Meeting: 2 P.M.

Bill	Exhibit	Witness / Agency	Description
***	A	*****	Agenda
***	B	*****	Sign-In Sheet
***	C	Senator Maurice E. Washington	Poem by Judy West
***	D	Chair Sheila Leslie	Crystal Darkness Video
***	E	Sarah J. Lutter, Research Division	Research Brief on methamphetamine.
***	F	Rob Bovett, Legal Counsel to Oregon's Narcotics Enforcement Agency and President of the Oregon Alliance for Drug-Endangered Children	PowerPoint Presentation – Methamphetamine
***	G	Dawn Gibbons, First Lady of Nevada	Written Testimony
***	H	Catherine Cortez Masto, Nevada Attorney General	PowerPoint Presentation – The Effect of Methamphetamine on the State of Nevada
***	I	Tammra Pearce, Executive Director, Bristlecone Family Resources	Written Testimony