

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON GOVERNMENT AFFAIRS**

**Seventy-Fifth Session
March 18, 2009**

The Committee on Government Affairs was called to order by Chair Marilyn K. Kirkpatrick at 8:08 a.m. on Wednesday, March 18, 2009, in Room 3143 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4406 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), and the Attendance Roster ([Exhibit B](#)), 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/75th2009/committees/. In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (email: publications@lcb.state.nv.us; telephone: 775-684-6835).

COMMITTEE MEMBERS PRESENT:

Assemblywoman Marilyn K. Kirkpatrick, Chair
Assemblyman David P. Bobzien, Vice Chair
Assemblyman Paul Aizley
Assemblyman Kelvin Atkinson
Assemblyman Chad Christensen
Assemblyman Jerry D. Claborn
Assemblyman Ed A. Goedhart
Assemblywoman April Mastroluca
Assemblyman Harvey J. Munford
Assemblywoman Peggy Pierce
Assemblyman James A. Settlemeyer
Assemblywoman Ellen B. Spiegel
Assemblyman Lynn D. Stewart
Assemblywoman Melissa Woodbury

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

Assemblywoman Kathy McClain, Clark County Assembly District No. 15

STAFF MEMBERS PRESENT:

Susan Scholley, Committee Policy Analyst
Scott McKenna, Committee Counsel
Cynthia Carter, Committee Manager
Michelle Smothers, Committee Secretary
Olivia Lloyd, Committee Assistant

OTHERS PRESENT:

Susan Haase, representing Nevada Health Care Association, Las Vegas, Nevada
Brett Kandt, Special Deputy Attorney General, Office of the Attorney General
Helen Foley, representing the Nevada Association of Marriage and Family Therapists, Las Vegas, Nevada
K. Neena Laxalt, Elko, Nevada, representing Marriage and Family Therapy, Las Vegas, Nevada
Mark Nichols, Executive Director, National Association of Social Workers, Las Vegas, Nevada

Chair Kirkpatrick:

[Roll called.] We are going to open the hearing on Assembly Bill 260. Good morning, Assemblywoman McClain.

Assembly Bill 260: Requires training for persons required to report certain crimes against older persons. (BDR 18-125)

Assemblywoman Kathy McClain, Clark County Assembly District No. 15:

I am here today in support of Assembly Bill 260. The bill is an attempt to help some of our mandatory reporters on elder abuse. It is an online course, not specific yet, to be developed by the Attorney General's Office. I have been to several conferences in California on elder abuse. I think everybody thinks they know what it is when they see elder abuse, but I was absolutely amazed at some of the unexpected ways that elder abuse occurs. There are many online training courses available and it occurred to me that it would be very good if we required our mandatory reporters to take this training at least on an annual basis. That is the genesis of this bill. I heard from some people that it may be overkill, but I personally do not think it is. It is something that we expect

people to do, at least every other year, by training online or going to a conference or taking some courses. I know that Postsecondary Education says that it has courses in elder abuse, but they are not mandatory for police officers, who can pick and choose their continuing education credits.

I have some other elder abuse bills that will be coming out, probably in this Committee or Judiciary. I have three separate bills that should probably, in the end, be all in one bill, which also will have an appropriation. A.B. 260 is a pretty simple bill. It just requires the Attorney General's Office to set up an online course and to track the people who take the course.

Assemblyman Settlemeyer:

I appreciate Assemblywoman McClain for bringing this bill forward. I remember that a lot of these issues came up with the Interim Subcommittee to Study Issues Relating to Senior Citizens and Veterans. I was curious if you had anybody here from the Attorney General's Office, because I would love to ask him some questions about setting up an online course. The Attorney General's Office would need to buy a desk, a bookcase, and a chair. Their fiscal note is pretty ridiculous. It details everything they are going to buy, just to do an online course, for \$122,000. I would love to ask some questions on that.

Assemblywoman McClain:

I have not seen the fiscal note.

Chair Kirkpatrick:

A representative of the Attorney General's Office is here. Does anybody else have any questions?

Assemblywoman Mastroluca:

Thank you for bringing this bill. It is very important. If you took a class at a workshop or a conference, could you use that to qualify instead of taking the course every year?

Assemblywoman McClain:

I am sure that could be possible. I do not want people doing two or three separate courses in the same year because it is required through their social work license or something similar.

Chair Kirkpatrick:

Does anybody else have any questions?

Assemblyman Settlemeyer:

Do other states have any video programs that might be able to help?

Assemblywoman McClain:

I picked up two or three training CDs at one of the conferences I attended.

Chair Kirkpatrick:

I think the Attorney General's Office is going to get most of the questions. Does anybody else have any comments? [There were none.] Is there anyone who would like to testify in support of A.B. 260?

Susan Haase, representing Nevada Health Care Association, Las Vegas, Nevada:

We are in support of A.B. 260. It looks like a good bill. It appears that the intent of the sponsor was to make the trainings fairly consistent across multiple disciplines, which seems like a good idea to me. We are already doing this training, so our only concern would be that this proposal might duplicate our current training rather than being in addition to it. We do not know if that would require a legislative change or not, but we can find that out later.

Chair Kirkpatrick:

Does anyone have any questions?

Assemblywoman Spiegel:

If you already have training in place, is it going out to all of these people?

Susan Haase:

We have training in the nursing homes.

Assemblywoman Spiegel:

Is it something that could be expanded, so a new curriculum would not necessarily have to be developed?

Susan Haase:

It is possible that aspects of what we do could be incorporated.

Assemblywoman McClain:

Banks also provide very good training in the financial exploitation area. I think it would be good to have some of the multidisciplinary training available to everybody.

Chair Kirkpatrick:

Would it be similar to how teachers get continuing education training to keep current?

Assemblywoman McClain:

It would not be anything as formal as continuing education credits, because a lot of your mandated reporters do not have any licensing standards. A wide variety of people serve as mandatory reporters.

Chair Kirkpatrick:

Does this apply only to nursing homes, or does it apply to group homes and all other facilities?

Assemblywoman McClain:

This applies to anybody who is a mandatory reporter as stated in *Nevada Revised Statutes* (NRS), so it covers therapists and social workers and many others.

Chair Kirkpatrick:

I just wanted to make sure we did not exclude some of our group homes or other facilities because I want everyone to have that training. I am very passionate about this subject. Does anyone else have any questions? [There were none.] Is there anybody who is neutral who would like to testify on A.B. 260?

Brett Kandt, Special Deputy Attorney General, Office of the Attorney General:

We are neutral on the bill and have submitted a fiscal note that was our initial best guess of the bill's fiscal impact. It is possible we will be submitting a revised fiscal note after we have done some further research.

I wanted to start by talking about Assembly Bill No. 226 of the 74th Session, which is a bill that the Attorney General sought and was passed. The bill gave the Attorney General concurrent authority and jurisdiction to investigate and prosecute elder abuse crimes in our state. The purpose of the bill was to assist the local law enforcement and prosecution authorities, as necessary, in addressing the issues of elder abuse, neglect, and exploitation.

We were committed to addressing the issue of elder abuse. However, while we gained the statutory authority and jurisdiction to assist in investigating and prosecuting these types of cases, the Attorney General's Office did not receive any additional resources or funding for that unit. The Attorney General, being committed to this issue, formed the unit once she obtained the statutory authority and is currently investigating and prosecuting cases and working closely with local authorities to improve their reporting. The unit is operating using the office's existing resources. It has also been overwhelmed with the issue of mortgage fraud, so we are aggressively investigating and prosecuting many mortgage fraud cases. As many of you know, Nevada leads the nation in

foreclosures, and unfortunately that has lead to a number of instances of mortgage fraud. Many of those cases involve victims who are senior citizens.

When we look at this proposal, we have to consider it in light of our existing resources and in light of the fact that the office's responsibilities, under this bill, would be unlike anything else we do. The unit for the investigation and prosecution of elder abuse cases does just that; it investigates and prosecutes elder abuse cases. This bill would establish a new responsibility upon the office with regard to identifying and creating a database of all individuals in a profession that fall within the scope of the mandatory reporter statute, which is NRS 200.5093 subsection 4. We would have to create the online training system. There are some questions whether we have any enforcement responsibility with regard to individuals that fail to comply with their training requirements, so there are a lot of questions there to be answered.

I will try to answer any questions I can this morning. I want to emphasize that the Attorney General has already demonstrated, through her seeking A.B. No. 226 of the 74th Session, her commitment to improving the reporting and investigation prosecution and prevention of elder abuse, neglect, and exploitation in our state, but we do have some concerns about the impact of A.B. 260 upon our office. Thank you.

Chair Kirkpatrick:

Does anyone have any questions?

Assemblyman Settlemeyer:

I just found six different videos when I looked online. It seems as if you could get those videos digitally online, get permission—to make sure they are not copyrighted, of course—and place them on your website to view. I do not understand how the fiscal note can be so high for videos that are already in existence; it is not like we are asking you to make a new video.

Brett Kandt:

Our Information Technology (IT) people were involved in creating the fiscal note, and I cannot specifically address how they arrived at that figure. In part, they had envisioned having to create a database and have a staff person be responsible for updating and keeping track of the individuals who are complying with their training requirement by taking the course. The other part would be creating some sort of an online training tool. Whether that would be an existing program that we would then have to gain authorization to utilize or provide, I do not know. And there may be some cost associated with that, such as licensing.

Assemblyman Bobzien:

As I understand it right now, there is not necessarily in existence a database of all the mandatory reporters, so that would have to be created from scratch, as part of this bill. I can see that cost component in the fiscal note.

Chair Kirkpatrick:

Does anybody else have any questions? [There were none.] Whether they are elderly or younger does this fall under the purview of the Consumer Advocate's Office or Consumer Affairs at some point?

Brett Kandt:

Speaking generally, the Consumer Advocate has a different role than the Consumer Affairs Division. The state's Consumer Affairs Division handles individual complaints about consumer issues and trade practices, and the Consumer Advocate looks at patterns of abuse, and deceptive or unfair trade practices, and then takes action on behalf of the citizens for the entire state. It does not represent or handle individual instances; those would be handled by the Consumer Affairs Division.

Chair Kirkpatrick:

I think this falls under both of those purviews, for the fact that we are looking for patterns of abuse that are being used against senior citizens, such as Medicaid fraud. A whole list of things could happen. I was talking to someone who has 41 group homes in an eight-mile radius within my district, so I am a little passionate about it. I do not understand why the process would be so expensive. You are collecting fees to take care of these folks, so the cost of the online course should offset the cost of the database and the one person to maintain it. I know that anytime I do something online, I put in all of my information and hit a button to save it, and it is all there.

The form is the initial piece; that would be the hard part, and I would think you would charge for it. I am amenable to you bringing back a report to see what we are missing, which I feel is a piece of a bigger puzzle, regarding what facilities do not have the proper training. What else could we do to make this simpler and more cost-effective? I think people would be required to take the online course, of which there are numerous types available. Statute already says that a final copy of the report has to be submitted to the proper agency. It seems as if we are on the right track. We are just asking for the ability to help train the folks who are caring for elderly people.

Brett Kandt:

Madam Chair, you mentioned Medicaid fraud, and that relates to a unit of the Attorney General's Office. Our office is funded partly for the Medicaid program,

and a portion is dedicated to investigating and prosecuting Medicaid fraud violations in our state, so in that regard, that is a function of our office.

This bill is a bit different in its scope, in terms of educating mandatory reporters. Another agency that should be part of the consideration here is the Division of Aging Services, which obviously plays a role in the issue of elder protection and has some statutory responsibilities in that regard, both with the reporting requirements and with the statistics, so they need to be part of the dialogue too. I do not know if there is any consideration as to whether this responsibility might be more appropriate for the Division of Aging Services. I would leave that up to you as the lawmakers.

However, getting back to the potential responsibilities and duties that could be imposed upon this office through this bill, while the discussion has been about having an online course, it appears the intent is that anybody who falls within the scope of the mandatory statute would be taking the course. Is part of the goal to identify, on an annual basis, every individual in our state who falls within the scope of the statute, and within one of the many professions that is enumerated in the mandatory reporters statute? That is a big undertaking. If identifying, updating, and keeping the list of individuals who fall within the scope of the statute accurately is part of our responsibility, that is a big part of the fiscal impact and task that is expected.

If that is not part of our responsibility, fine, but then the issue is if you know who is taking the course, but you do not know who should have and did not, have you really achieved your goal of ensuring that all mandatory reporters have the requisite training? The other issue, what I call the enforcement issue, is if the statute or the bill mandates that all mandatory reporters shall take the course, does our office have some enforcement responsibility against those individuals who fail to comply with the requirements of the statute? Those are just questions for consideration.

Chair Kirkpatrick:

No matter how I read this bill, I do not see where it requires anything of the Attorney General's Office except to create the course, make a record of who takes the course, and then submit the record to the Division of Aging Services and other agencies, including the district attorney. I think there would be a fee to cover your costs at some point. I do not see any other details. I read NRS Chapter 228 and NRS 200.5091 to NRS 200.5095 this morning, just to make sure I was not missing anything. Ms. McClain, am I reading more or less the intent of the bill?

Assemblywoman McClain:

Not really. I was thinking there must be an easier way of doing this. Here is a concept. What if we create an online library/resource database that mandatory reporters could go to? You log onto it, you finish the course, and when you pass the course and log out, it automatically registers you as passing that course. There are easy ways to accomplish this. I was thinking about all the online training we had to do in my job; you would go through the whole course, and at the end it printed out a certificate and recorded that you had completed the work.

I understand the problem of trying to decide if somebody is a mandatory reporter and whether or not they took the course, but maybe we do not need to go that route the first year or so and see how it works. I think it would be an advantage to the people who work in nursing homes, or social work, to be able to say, I took this course online. It was very simple, and I can hang a certificate on my wall that says I am a little more qualified.

Assemblyman Bobzien:

Assemblywoman McClain, you can get together with the Attorney General's Office and figure out the details, and as long as the bill is broad enough and gives direction, you can fill in the blanks. It strikes me that there are two areas where you can try to reduce the fiscal note: the content and the record keeping with respect to who has completed the course. Regarding content, there must be somebody who has produced this content and is willing to distribute it. So I am sure we do not have to reinvent the wheel.

For the record keeping aspect of the bill, I appreciate how IT folks want to produce an accurate, catchall fiscal note, but I definitely see a lot of room for getting the cost down in this fiscal note. It is simply creating a database record of a person. Yes, there are some basic security concerns, but if the bill requires just collecting the records and sending an extract on a quarterly basis to the identified agencies, that is not launching a space shuttle. That is something that you could get down in cost.

Chair Kirkpatrick:

Currently, does the Attorney General's Office charge any other governmental agencies for copies of papers they might want? When I get a copy of my driving record from the Department of Motor Vehicles (DMV), I have to pay \$2.

Brett Kandt:

We have to comply with the public records law, and we can charge an appropriate fee for individuals that request copies of certain documents that are public and not deemed confidential. I think most government entities make

some exceptions for other government entities, in terms of whether they are assessed a cost or not.

Assemblyman Aizley:

There are campuses of the Nevada System of Higher Education (NSHE) with continuing education offices that offer noncredit courses, and they record them and give out certificates. It is all there; you just need to approve the courses that are being taught.

Chair Kirkpatrick:

Does anyone else have any questions? [There were none.] Is there anybody else who would like to testify in the neutral position?

Helen Foley, representing the Nevada Association of Marriage and Family Therapists, Las Vegas, Nevada:

We congratulate Assemblywoman McClain for bringing this bill forward; we think it is a very important piece of our crime prevention programs in Nevada. There are many marriage and family therapists who deal with the elderly population, but they also deal in domestic violence and with very troubled children who have been sexually, physically, and verbally abused.

We have two concerns. One is having a mandate that every professional, including dentists, podiatrists, physicians, teachers, morticians, and everyone else who comes in contact with the elderly, would have to take this course annually. All the mental health professionals have to take continuing education courses, and the marriage and family therapists have to complete 40 credits every other year, within a two-year period. Nowhere in A.B. 260 does it say this would be one of those accredited courses. If we add this one, maybe next year we would add one for child abuse, and another one for domestic violence. I am not saying people should not take those courses, but it does add to the number of courses that would be required, without ever including them as one of the credits.

I think it is a bit overkill to have people take training every single year. To be in contact with children on the campus, even as a volunteer, I had to take a course on child abuse. I have to take that course only once every five years, and get fingerprinted, in order to be on the playground or go on field trips. I think once every five years is quite sufficient. If there are dramatic changes that take place in the Legislature where there are new mandates, then I would see the need for updates. I see that the Attorney General's Office has to update the course not less than once a year, but I think that every other year, after a Legislative session, would be quite appropriate to review laws and to see

what kinds of changes may have taken place. In these areas, it would be less costly and probably hit every area that you are looking at.

We support the concept, we would like to have those continuing education credits count, and we would like to do it not less than once every five or six years. Maybe six years, because I know a lot of the continuing education courses now are required on a biennial basis, rather than annually. If we said once every five years, that might confuse the process, so six years might be best.

Chair Kirkpatrick:

Would there be a bigger fiscal note if legislative changes were made? Back in the 1980s there were some nutritional guidelines that needed to be established, and had we waited five years, it might have been that long before those guidelines were met. I am all for doing it after a legislative session or even upon changes made by the Legislature. Otherwise it must be five years, but I think that we need to be careful. I try every session to make changes to the group home procedures, so I could keep you busy all by myself. I would think they would send out a notice that because of legislative changes you must update your classes.

Helen Foley:

Madam Chair, I think that is an excellent point, and I believe that it is up to their board of examiners to notify them. You could even place that requirement in the bill, but I think it would be an automatic notification if there are changes that involve dentistry or medicine as it relates to the elderly, how these positions are supposed to treat the elderly, or things to watch for. It is up to those boards to notify people and make them aware, through their newsletters and emails, that there has been a change in legislative policy.

Chair Kirkpatrick:

I bet it would probably take the Attorney General's Office six months to update their online program.

Helen Foley:

I would certainly hope not. I know that my agency does a newsletter for the dental board, and after the session we do a complete update and notify all of the dentists what the changes are. We do that with the marriage and family therapists as well. It is really up to those boards to make sure the people they regulate know what has happened. They may have missed this because they have not focused on the elderly, but thanks to Assemblywoman McClain, because she has made it a priority, today we can get more people to focus on

the elderly through legislation. If you have a suggestion on how the boards can push and promote these things, that would be great.

Assemblywoman McClain:

We are not asking the Attorney General's Office to create these online courses, because they are out there and they are available. The only thing they would have to update would be if there was a change in NRS; they could just put it on the website. Ms. Foley is right, there is not enough emphasis put on elder abuse. In one of the conferences I went to, there was a lot of discussion on the medical aspect, on how does a doctor recognize elder abuse as opposed to someone who has fallen down and bruised himself. And dentists are a huge key to recognizing elder abuse. Yes, those people need to take the course.

Helen Foley:

I really believe that in those specific fields, they should be looking for things that are unique to their profession. A dentist is going to be able to identify problems with a patient a lot better than an emergency medical technician (EMT) in an ambulance, or even marriage and family therapists, because once a dentist sees what may have happened to a person's jaw, he would be able to identify the injury. We should encourage those boards to identify more continuing education courses involving elderly people.

Chair Kirkpatrick:

Are there any other questions? Is there anyone else who would like to testify in the neutral position for A.B. 260?

K. Neena Laxalt, Elko, Nevada, representing Marriage and Family Therapy Board and Dental Hygienist Association, Las Vegas, Nevada:

I am here in a neutral position, mostly with questions. If there is going to be board involvement in letting people know about changes in requirements, I am sure that would be a fairly easy process. Would this be counted as a continuing education point? I have a hard time understanding, when reading this, exactly who it entails, because as you scan the bill, it seems to apply only to marriage and family therapists, social workers, and physicians. I would like to learn whether the bill includes all the other health care professionals or not, so I can notify those I represent and the lobbyists who represent others.

Assemblywoman McClain:

I think the bill applies to anybody who is a mandatory reporter, under NRS 200.5093.

Chair Kirkpatrick:

According to NRS 200.5093, subsection 1, that would be "any person who is described in subsection 4 and who, in his professional or occupational capacity, knows or has reasonable cause to believe that an older person has been abused." So if you go down to subsection 4, it lists each of those categories—physician, dentist, dental hygienist, chiropractor, optometrist, podiatrist, medical examiner, resident intern, professional or practical nurse, physician assistant, psychiatrist, psychologist, marriage and family therapist, clinical professional counselor, clinical alcohol and drug abuse counselor, athletic trainer, ambulance driver, advanced emergency medical technician, "or other person providing medical services licensed or certified to practice in this state, who examines, attends or treats an older person who appears to have been abused, neglected, exploited or isolated." I knew it was not going to be a simple bill, which is why I read the statute this morning.

K. Neena Laxalt:

I think there are a lot of professions out there that do not understand that they are included in this bill, and it is important that they be notified. Because with the Attorney General's Office having concerns about how to keep records and other matters, they are going to have to go through all these boards, and that is going to be a process. I am not saying it will have a fiscal note, but it will probably have some fiscal note to be able to provide all the names and keep track of who is on and who is off. I do not know how this is going to go forward with the boards and what they need to provide, other than simply notifying the people that these courses are mandatory and available.

Chair Kirkpatrick:

When a teacher or a psychologist knows there is a child abuse case, aren't they required to report it? When I worked in the school district I was required to report any cases, no matter what. I had to take the classes and be certified to make those determinations. How is that any different from the elders?

K. Neena Laxalt:

I would not think it would be any different. At this point, it is just a matter of notifying all these people that this is now going to be a requirement. Speaking for the Marriage and Family Therapy Board, it is important to let their licensed people know that this is mandatory, which is probably at no cost whatsoever, but the tracking of who takes the training, who does not, or who successfully passes goes to the boards from the Attorney General's Office. I am simply following this process out with all the licensees. It does not apply to only a few licensees. There are thousands of licensees that are now impacted. Who is in charge of that record keeping? I do not want to give any ideas to have the

boards take care of that, because I probably just gave a fiscal note for my own board.

Chair Kirkpatrick:

The list goes on. I did not even get to the second half of the people—the coroners and employees by agency—so it is very similar to what teachers are doing. I know it is never a simple bill when it is one page, but I am thinking there must be a way to make it work. Maybe just that agency and the Attorney General's Office have to take a look at the website. What do you think, Ms. McClain?

Assemblywoman McClain:

I think we could probably figure out a simple way of doing this. I am working with the Attorney General's Office on a couple of other bills too, so maybe we could wrap them up together and have one reasonable bill.

K. Neena Laxalt:

If these could be continuing education credits, I think that would be very helpful to a lot of these people.

Assemblywoman McClain:

I just have a little concern about them being official continuing education credits, because then you are into a whole different realm. We will look at it.

Mark Nichols, Executive Director, National Association of Social Workers, Las Vegas, Nevada:

I am proud to say that I am a graduate student in the master of social work (MSW) program at the University of Nevada, Las Vegas, (UNLV) School of Social Work. It was difficult figuring out whether I wanted to speak in support, neutral, or in opposition to A.B. 260. I think this is the fairest place for me to raise my comments. We strongly support the concept of making certain that all mandated reporters understand what elder abuse is, and what isolation, exploitation, and neglect of elders looks like, so we can protect our most vulnerable population. Social justice and protection of the vulnerable are our core values in the social work profession, and we applaud those components of the legislation.

We have concerns, some of which have already been raised, related to the implementation and details of the bill. I agree with the concept of having annual training and viewing it online, but this course seems to be an unnecessary hardship for the professions. Also, there are 2,300 licensed social workers in the state, and I am going to guess that when you total up all the mandated reporters, there would be tens of thousands of files that would have to be

maintained. With regards to continuing education, is the course work going to be in addition to the 30 hours required every two years, or is it going to be part of those 30 hours? That is something that needs to be addressed. There needs to be control of verification. Who is to say that somebody else does not take that course over and over again for the professionals on their staff? What controls are in place to make certain that the mandated reporter is the one who actually takes the course? And the bill assumes universal access to the Internet.

There was a question regarding enforcement and disciplinary impact. If a social worker does not take that course every year, is there an effect on their license? Would they be subject to disciplinary action? And would it require an amendment to, in our case, NRS Chapter 641B and the *Nevada Administrative Code* (NAC), in order to implement this together with all the other professions' regulations and licensure laws? We support the concept, but have concerns and are more than willing to work with Assemblywoman McClain in figuring out a system that will work and address the social justice and protection of our vulnerable populations.

Chair Kirkpatrick:

Does anybody have any questions for Mr. Nichols? [There were none.] Do you have any suggestions on how to put the database in place? Would it be better through the division or through the job; do you have any suggestions or thoughts?

Mark Nichols:

For the professions it is relatively easy. Each of the licensing boards has its own database of all its licensees, but I do not believe there are consolidated databases of ambulance and nursing home workers and other groups, so to me that would be the greatest challenge.

Chair Kirkpatrick:

When a nursing facility comes together, could the employees be required to get trained within a short time frame? You want people, whether they are ambulance drivers or athletic trainers, to have an idea of what they are looking for when working with older folks.

Mark Nichols:

We fully support the concept of training in regard to not only elder abuse, but also child abuse, protection of vulnerable individuals, and a fourth category, one's professional colleagues, where reporting is mandated for some of the profession. We saw the impact of that issue with the endoscopy center in Las Vegas last year. One thought would be to make the bill even more

comprehensive and address all areas of mandated reporting as expected of the state by the public.

Chair Kirkpatrick:

Does anybody else have any questions? [There were none.] Does anybody else want to testify in opposition to A.B. 260?

Assemblywoman McClain:

Regarding the mandatory reporters listed in NRS 200.5093, I think certain professions have been added over the years. I know that last session two mandatory reporters, clergyman and attorney, were removed from that list at the 11th hour, and we are making an effort to get them back on this session. That bill will be coming around too.

I think there is an easy way to do this. I do not want to go down the continuing education credit road, because that is a different issue for those professions. The problem with the continuing education courses is that people can pick and choose what they want to take. I think there needs to be some universal education on the signs of elder abuse and the reporting mandates, but let's start with the mandatory reporters.

Chair Kirkpatrick:

Does anybody else have any questions? [There were none.] We are going to close the hearing on A.B. 260. Is there any public comment? [There were none.] Is there anything from the Committee? [There was none.] With that, we are going to adjourn until Friday at 9:00 a.m.

Meeting adjourned [at 8:58 a.m.].

RESPECTFULLY SUBMITTED:

Michelle Smothers
Committee Secretary

APPROVED BY:

Assemblywoman Marilyn K. Kirkpatrick, Chair

DATE: _____

EXHIBITS

Committee Name: Committee on Government Affairs

Date: March 18, 2009

Time of Meeting: 8:08 a.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster