

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

**Seventy-Sixth Session
May 20, 2011**

The Committee on Health and Human Services was called to order by Chair April Mastroluca at 2:04 p.m. on Friday, May 20, 2011, in Room 3138 of the Legislative Building, 401 South Carson Street, Carson City, 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/76th2011/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 April Mastroluca, Chair
Assemblywoman Peggy Pierce, Vice Chair
Assemblyman Elliot T. Anderson
Assemblywoman Teresa Benitez-Thompson
Assemblyman Steven Brooks
Assemblyman Richard Carrillo
Assemblywoman Lucy Flores
Assemblyman Jason Frierson
Assemblyman Pete Goicoechea
Assemblyman John Hambrick
Assemblyman Scott Hammond
Assemblyman Mark Sherwood
Assemblywoman Debbie Smith

COMMITTEE MEMBERS ABSENT:

Assemblyman Pete Livermore (excused)

GUEST LEGISLATORS PRESENT:

None

STAFF MEMBERS PRESENT:

Kirsten Coulombe, Committee Policy Analyst
Risa Lang, Committee Counsel
Mitzi Nelson, Committee Secretary
Olivia Lloyd, Committee Assistant

OTHERS PRESENT:

Marla McDade Williams, Deputy Administrator, Health Division,
Department of Health and Human Services

Chair Mastroluca:

Today we have quite a few bills on work session. We are going to get started with Senate Bill 191.

Senate Bill 191: Revises provisions governing pet crematories. (BDR 40-979)

Kirsten Coulombe, Committee Policy Analyst:

This bill is sponsored by Senator Manendo and was heard on April 27. Senate Bill 191 repeals statutory provisions requiring that a person who operates a crematory for pets must also have a certificate of authority from the Nevada State Funeral Board to operate a cemetery for pets and to operate the crematory on the premises of the cemetery. [Ms. Coulombe continued to read from the work session document ([Exhibit C](#)).] An amendment was submitted by Chair Mastroluca.

Chair Mastroluca:

I discovered during this process that Nevada did not have statutes that governed pet crematories. That created the need for this bill. Are there any questions, comments, or discussion on the amendment?

ASSEMBLYMAN GOICOECHEA MOVED TO AMEND AND DO
PASS SENATE BILL 191.

ASSEMBLYMAN CARILLO SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN LIVERMORE AND SMITH
WERE ABSENT FOR THE VOTE.)

Chair Mastroluca:

Assemblywoman Benitez-Thompson will do the floor statement. We will now move on to Senate Bill 210 (1st Reprint).

Senate Bill 210 (1st Reprint): Revises provisions governing the regulation of certain food processing establishments. (BDR 40-564)

Kirsten Coulombe, Committee Policy Analyst:

Senate Bill 210 (R1) was heard on May 2, sponsored by the Senate Committee on Health and Human Services, and presented by Senator Wiener. The bill makes various changes concerning the regulation of food processing establishments. [Ms. Coulombe continued to read from the work session document ([Exhibit D](#)).] Following the hearing, a working group was formed, which reached consensus on the attached proposed amendment which removes language addressed in the FDA Food Safety Modernization Act, clarifies when food can be tested, and also adds an effective date of July 1, 2011.

Chair Mastroluca:

I would like to extend my sincere thanks to Assemblywoman Benitez-Thompson and Assemblyman Hammond for their work on this bill. It was a little surprising when the bill came over from the Senate and we discovered it still needed work. I appreciate the time you spent working on this. Is there anything that either of you would like to address or discuss at this time? [There was nothing.] I will accept a motion.

ASSEMBLYMAN BROOKS MOVED TO AMEND AND DO PASS
SENATE BILL 210 (R1).

ASSEMBLYMAN HAMMOND SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN LIVERMORE AND SMITH
WERE ABSENT FOR THE VOTE.)

Chair Mastroluca:

Assemblyman Hammond will do the floor statement. We will now move on to Senate Bill 246 (1st Reprint).

Senate Bill 246 (1st Reprint): Makes various changes concerning required training for employees who administer medication to a child at certain entities that have custody of the child pursuant to the order of a court. (BDR 40-796)

Kirsten Coulombe, Committee Policy Analyst:

Senate Bill 246 (R1) was heard on May 4 and was sponsored by Senator Leslie. The bill requires the Administrator of the Health Division, to the extent possible, to ensure that adequate training is available in this state to provide necessary instruction concerning the administration and management of medication to employees of public and private entities that have custody of children pursuant to the order of a court. [Ms. Coulombe continued to read from the work session document ([Exhibit E](#)).] There is a proposed amendment that was submitted by the sponsor.

Chair Mastroluca:

I believe I can anticipate the question Assemblyman Goicoechea would like answered. Ms. McDade Williams, will you please come forward at this time?

Marla McDade Williams, Deputy Administrator, Health Division, Department of Health and Human Services:

I would be happy to answer any questions.

Chair Mastroluca:

Does the amendment remove the fiscal note?

Marla McDade Williams:

That is correct. The Health Division would not have a fiscal burden under the provisions of the amendment.

Chair Mastroluca:

Is there any discussion? Assemblyman Goicoechea, does that answer your question?

Assemblyman Goicoechea:

I believe this was a bill that did not originally have a fiscal note, but someone came forward with a fiscal impact.

Marla McDade Williams:

The fiscal impact would have been to those who would have had to pay to go through training. The amendment places the burden for training and policy development on the licensing authority.

Chair Mastroluca:

Is there any further discussion? Seeing none, I will accept a motion.

ASSEMBLYWOMAN BENITEZ-THOMPSON MOVED TO AMEND
AND DO PASS SENATE BILL 246 (R1).

ASSEMBLYMAN FRIERSON SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN LIVERMORE AND SMITH
WERE ABSENT FOR THE VOTE.)

Chair Mastroluca:

Assemblywoman Flores will handle the floor statement. We will now move on
to Senate Bill 293 (1st Reprint).

[Senate Bill 293 \(1st Reprint\)](#): Makes various changes relating to certain
nonprofit organizations. (BDR 3-1011)

Kirsten Coulombe, Committee Policy Analyst:

Senate Bill 293 (R1) was heard on May 9 and was sponsored
by Senator Cegavske. The bill requires a nonprofit organization that
provides certain jobs and day training services or which operates certain
rehabilitation facilities or workshops to be on file and in good standing with the
Secretary of State as a nonprofit organization. [Ms. Coulombe continued to
read from the work session document ([Exhibit F](#)).] There are no proposed
amendments at this time.

Chair Mastroluca:

Is there any discussion on the bill? [There was none.]

ASSEMBLYWOMAN HAMBRICK MOVED TO DO PASS
SENATE BILL 293 (R1).

ASSEMBLYMAN ANDERSON SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN LIVERMORE AND SMITH
WERE ABSENT FOR THE VOTE.)

Chair Mastroluca:

Assemblyman Hambrick will do the floor statement. Next on the agenda is
Senate Bill 300 (1st Reprint).

[Senate Bill 300 \(1st Reprint\)](#): Revises provisions governing certain billing and
related practices of hospitals. (BDR 40-797)

Kirsten Coulombe, Committee Policy Analyst:

Senate Bill 300 (R1) was heard on May 16 and was sponsored by Senator Leslie. The bill specifies that the current reduction in total billed charges, which are offered by certain facilities in certain circumstances, applies only to inpatients who do not have health insurance and specifically excludes policies of insurance such as casualty and property insurance for purposes of determining whether an inpatient has insurance. [Ms. Coulombe continued to read from the work session document ([Exhibit G](#)).] During the hearing, representatives from the Nevada Justice Association discussed a proposed amendment, which is included in the work session document.

Chair Mastroluca:

Are there any questions?

Assemblyman Goicoechea:

I have a problem that 30 percent of the cost is being written off despite the uninsured patient's financial standing. I am struggling with the fact that we are mandating a 30 percent reduction in charges without adequate consideration. To me, it does not look like there is any flexibility in the bill, even if the patient has the ability to pay. It simply dictates an across-the-board 30 percent reduction. I will have a hard time supporting this bill. However, I do not want my caucus to feel required to follow my vote.

Chair Mastroluca:

I appreciate your concern. In section 2, the bill reads "by at least" It does give a small amount of flexibility. I think the hospitals feel it is better to get something rather than nothing. Some hospitals do not get anything from some uninsured patients. This would give them the ability to get something. However, I understand and respect your position. Is there any further discussion? Seeing none, I will accept a motion.

ASSEMBLYWOMAN PIERCE MOVED TO AMEND AND DO PASS
SENATE BILL 300 (R1).

ASSEMBLYWOMAN FLORES SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN GOICOECHEA,
HAMBRICK, AND SHERWOOD VOTED NO. ASSEMBLYMAN
LIVERMORE WAS ABSENT FOR THE VOTE.)

Chair Mastroluca:

Assemblywoman Pierce, will you handle the floor statement?

Assemblywoman Pierce:

Yes, ma'am.

Chair Mastroluca:

We will now move on to Senate Bill 339 (1st Reprint).

Senate Bill 339 (1st Reprint): Establishes provisions relating to the safety of patients in certain medical facilities. (BDR 40-662)

Kirsten Coulombe, Committee Policy Analyst:

Senate Bill 339 (R1) was heard on the evening of May 9 and was sponsored by Senator Wiener and Senator Breedon. The bill requires certain medical facilities to provide to their patients certain information relating to facility-acquired infections and to post in public areas of the facilities information on reporting facility-acquired infections. [Ms. Coulombe continued to read from the work session document ([Exhibit H](#)).] Assemblywoman Pierce submitted a conceptual amendment, which is included in the work session document.

Assemblywoman Pierce:

Everyone worked long and hard on this amendment to reach a consensus.

Assemblyman Sherwood:

Section 3, subsection 3 of the amendment mentions an infection control officer who "must be certified as an infection preventionist." Will that person be an in-house hospital employee? That will not be a state employee, will it? What is meant by that?

Chair Mastroluca:

That has been stricken in the amendment.

Assemblyman Sherwood:

There is no new full time equivalent for the hospital or state? It can be handled by existing staff?

Chair Mastroluca:

Correct. I would accept a motion.

ASSEMBLYMAN ANDERSON MOVED TO AMEND AND DO PASS
SENATE BILL 339 (R1).

ASSEMBLYMAN BROOKS SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMAN LIVERMORE WAS
ABSENT FOR THE VOTE.)

Chair Mastroluca:

Mr. Anderson will handle the floor statement. Senate Bill 419 (1st Reprint) is next on our agenda.

Senate Bill 419 (1st Reprint): Establishes provisions relating to safe injection practices. (BDR 40-518)

Kirsten Coulombe, Committee Policy Analyst:

Senate Bill 419 (R1) was heard on the evening of May 13 and was sponsored by the Senate Committee on Health and Human Services. The bill requires the Health Division of the Department of Health and Human Services, certain district boards of health, and certain boards that license, register, or certify health care professionals to require, as a condition of issuing or renewing a license, registration or certificate, that the applicant for issuance or renewal of the license, registration, or certificate must attest to knowledge of and compliance with the guidelines of the Centers for Disease Control and Prevention (CDC) concerning the prevention of transmission of infectious agents through safe and appropriate injection practices. [Ms. Coulombe continued to read from the work session document ([Exhibit I](#)).] The sponsor submitted a conceptual amendment that adds a new provision adding radiologic technologists and nuclear medicine technologists to the list of health care professionals who must attest to possessing knowledge of the CDC guidelines. It also amends section 31 of the bill to apply only to medical laboratories whose licensed personnel have job duties that include the administration of injections.

Chair Mastroluca:

Is there any discussion? [There was none.]

ASSEMBLYMAN BROOKS MOVED TO AMEND AND DO PASS
SENATE BILL 419 (R1).

ASSEMBLYWOMAN PIERCE SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMAN LIVERMORE WAS
ABSENT FOR THE VOTE.)

Chair Mastroluca:

Assemblyman Carrillo will handle the floor statement. We will now move to the last bill on our agenda, Senate Bill 420 (1st Reprint).

Senate Bill 420 (1st Reprint): Makes various changes relating to the operation of certain facilities for long-term care. (BDR 40-158)

Kirsten Coulombe, Committee Policy Analyst:

Senate Bill 420 (R1) was heard on May 6 and was sponsored on behalf of the Legislative Committee on Senior Citizens, Veterans and Adults with Special Needs by the Senate Committee on Health and Human Services. The bill requires that a facility for intermediate care, facility for skilled nursing, and residential facility for groups adopt a written policy that establishes the length of time it will hold a bed for a person who must be temporarily transferred to another facility for medical reasons and provides that such person will be allowed to return to the first available bed if they do not return within the established time, if the facility is suitable for properly caring for the patient. [Ms. Coulombe continued to read from the work session document ([Exhibit J](#)).] There are no proposed amendments at this time.

Chair Mastroluca:

Is there any discussion on S. B. 420 (R1)? [There was no response.] I will accept a motion.

ASSEMBLYWOMAN PIERCE MOVED TO DO PASS
SENATE BILL 420 (R1).

ASSEMBLYMAN HAMBRICK SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMAN LIVERMORE WAS
ABSENT FOR THE VOTE.)

Chair Mastroluca:

Assemblyman Goicoechea, will you handle the floor statement?

Assemblyman Goicoechea:

I would love to.

Chair Mastroluca:

I would like to thank you all for your work. I appreciate the time and attention you have taken to stay on top of your bills with all of the other committees you have. It means a lot to me, and it makes the Committee go a lot smoother. Is there anything else to come before the Committee? [There was no response.] Is there any public comment? [There was none.] With that, this meeting is adjourned [at 2:31 p.m.].

RESPECTFULLY SUBMITTED:

Mitzi Nelson
Committee Secretary

APPROVED BY:

Assemblywoman April Mastroluca, Chair

DATE: _____

EXHIBITS

Committee Name: Committee on Health and Human Services

Date: May 20, 2011

Time of Meeting: 2:04 p.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
S.B. 191	C	Kirsten Coulombe	Work Session Document
S.B. 210 (R1)	D	Kirsten Coulombe	Work Session Document
S.B. 246 (R1)	E	Kirsten Coulombe	Work Session Document
S.B. 293 (R1)	F	Kirsten Coulombe	Work Session Document
S.B. 300 (R1)	G	Kirsten Coulombe	Work Session Document
S.B. 339 (R1)	H	Kirsten Coulombe	Work Session Document
S.B. 419 (R1)	I	Kirsten Coulombe	Work Session Document
S.B. 420 (R1)	J	Kirsten Coulombe	Work Session Document