

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

**Seventy-Seventh Session
May 17, 2013**

The Committee on Health and Human Services was called to order by Chair Marilyn Dondero Loop at 2:41 p.m. on Friday, May 17, 2013, in Room 3138 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](#)), 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 nelis.leg.state.nv.us/77th2013. 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 Dondero Loop, Chair
Assemblywoman Ellen B. Spiegel, Vice Chair
Assemblywoman Teresa Benitez-Thompson
Assemblyman Wesley Duncan
Assemblyman Andy Eisen
Assemblywoman Michele Fiore
Assemblyman John Hambrick
Assemblyman Pat Hickey
Assemblyman Andrew Martin
Assemblyman James Oscarson
Assemblyman Michael Sprinkle
Assemblyman Tyrone Thompson

COMMITTEE MEMBERS ABSENT:

Assemblyman Joseph M. Hogan (excused)
Assemblywoman Peggy Pierce (excused)

GUEST LEGISLATORS PRESENT:

None

Minutes ID: 1201



STAFF MEMBERS PRESENT:

Kirsten Bugenig, Committee Policy Analyst
Risa Lang, Committee Counsel
Terry Horgan, Committee Secretary
Macy Young, Committee Assistant

OTHERS PRESENT:

None

Chair Dondero Loop:

[Roll was taken.] We will begin today's work session. Your binders have been updated to include the work session document, which is also on the Nevada Electronic Legislative Information System (NELIS). For those in our audience, as we go through the work session, we will call you forward if we need further clarification.

I would like to ask our policy analyst, Mrs. Bugenig, to take us through the bills.

Kirsten Bugenig, Committee Policy Analyst:

The first bill for consideration is Senate Bill 80.

Senate Bill 80: Makes various changes to provisions governing dairy products and dairy substitutes. (BDR 51-460)

[Mrs. Bugenig read a description of the bill from the work session document ([Exhibit C](#)).]

Chair Dondero Loop:

I would entertain a motion of do pass.

ASSEMBLYWOMAN FIORE MOVED TO DO PASS SENATE BILL 80.

ASSEMBLYWOMAN BENITEZ-THOMPSON SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN HOGAN AND PIERCE WERE ABSENT FOR THE VOTE.)

Ms. Fiore will discuss this bill on the floor.

Next is Senate Bill 112 (1st Reprint).

Senate Bill 112 (1st Reprint): Requires the Legislative Committee on Health Care to consider the manner in which certain provisions relating to licensing of certain offices of physicians and facilities that provide health care have been carried out. (BDR S-441)

Kirsten Bugenig, Committee Policy Analyst:

[Mrs. Bugenig read a description of the bill from the work session document ([Exhibit D](#)).]

Chair Dondero Loop:

I would entertain a motion of do pass.

ASSEMBLYMAN HAMBRICK MOVED TO DO PASS
SENATE BILL 112 (1ST REPRINT).

ASSEMBLYMAN SPRINKLE SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN HOGAN AND PIERCE
WERE ABSENT FOR THE VOTE.)

Mr. Hambrick will take the floor statement.

Senate Bill 167 (1st Reprint) is next.

Senate Bill 167 (1st Reprint): Enacts provisions for the designation of certain hospitals as STEMI receiving centers. (BDR 40-229)

Kirsten Bugenig, Committee Policy Analyst:

[Mrs. Bugenig read a description of the bill from the work session document ([Exhibit E](#)).]

Chair Dondero Loop:

I will entertain a motion.

ASSEMBLYMAN EISEN MOVED TO DO PASS SENATE BILL 167
(1ST REPRINT).

ASSEMBLYMAN SPRINKLE SECONDED THE MOTION.

Assemblyman Eisen:

I want to make a clarification. There had been some confusion during the hearing about exactly which accreditation from the Society of Cardiovascular Patient Care would be considered for this. In the text of the bill is a specific

initiative called the Mission: Lifeline initiative. After communication with representatives of the American Heart Association, that is the accreditation they want to make certain is identified. I wanted to make it clear for the record that that was the intent of the bill, and that is the motion I made.

Chair Dondero Loop:

Are you suggesting an amendment?

Assemblyman Eisen:

No, just a clarification.

Chair Dondero Loop:

So, I have a do pass motion and a second.

THE MOTION PASSED. (ASSEMBLYMEN HOGAN AND PIERCE
WERE ABSENT FOR THE VOTE.)

Mr. Sprinkle, would you carry this floor statement, please.

On to Senate Bill 206 (1st Reprint).

Senate Bill 206 (1st Reprint): Revises provisions relating to food
establishments. (BDR 40-935)

Kirsten Bugenig, Committee Policy Analyst:

[Mrs. Bugenig read a description of the bill from the work session document
([Exhibit F](#)).]

Chair Dondero Loop:

I would entertain a motion of do pass for Senate Bill 206 (1st Reprint).

ASSEMBLYMAN OSCARSON MOVED TO DO PASS
SENATE BILL 206 (1ST REPRINT).

ASSEMBLYMAN THOMPSON SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN HOGAN AND PIERCE
WERE ABSENT FOR THE VOTE.)

As she was cosponsor, I will give Mrs. Spiegel the floor statement on that bill.

Now, on to Senate Bill 233.

Senate Bill 233: Revises certain provisions pertaining to zoning. (BDR 40-890)

Kirsten Bugenig, Committee Policy Analyst:

[Mrs. Bugenig read a description of the bill from the work session document ([Exhibit G](#)).]

Chair Dondero Loop:

I will entertain a motion on Senate Bill 233.

ASSEMBLYMAN SPRINKLE MOVED TO DO PASS
SENATE BILL 233.

ASSEMBLYMAN EISEN SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN HOGAN AND PIERCE
WERE ABSENT FOR THE VOTE.)

Mr. Duncan will carry this floor statement.

Senate Bill 258 (1st Reprint) is next.

Senate Bill 258 (1st Reprint): Creates the Task Force on the Prevention of
Sexual Abuse of Children. (BDR 38-192)

Kirsten Bugenig, Committee Policy Analyst:

[Mrs. Bugenig read a description of the bill from the work session document ([Exhibit H](#)).]

Chair Dondero Loop:

I would entertain a do pass motion.

ASSEMBLYMAN HAMBRICK MOVED TO DO PASS
SENATE BILL 258 (1ST REPRINT).

ASSEMBLYMAN MARTIN SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN HOGAN AND PIERCE
WERE ABSENT FOR THE VOTE.)

I will do the floor statement for this bill, but ask Dr. Eisen to be my backup.

Senate Bill 276 (1st Reprint) is next.

Senate Bill 276 (1st Reprint): Directs the Legislative Committee on Health Care to conduct an interim study of the delivery of supported living services and jobs and day training services to recipients of Medicaid. (BDR S-891)

Kirsten Bugenig, Committee Policy Analyst:

[Mrs. Bugenig read a description of the bill from the work session document ([Exhibit I](#)).]

Chair Dondero Loop:

I would entertain a do pass motion.

ASSEMBLYMAN THOMPSON MOVED TO DO PASS
SENATE BILL 276 (1ST REPRINT).

ASSEMBLYWOMAN SPIEGEL SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN HOGAN AND PIERCE
WERE ABSENT FOR THE VOTE.)

Mr. Thompson will take the floor statement.

Our next bill is Senate Bill 285.

Senate Bill 285: Revises provisions relating to emergency medical services.
(BDR 40-833)

Kirsten Bugenig, Committee Policy Analyst:

[Mrs. Bugenig read a description of the bill from the work session document ([Exhibit J](#)).]

Chair Dondero Loop:

I will entertain a do pass motion.

ASSEMBLYMAN OSCARSON MOVED TO DO PASS
SENATE BILL 285.

ASSEMBLYMAN EISEN SECONDED THE MOTION.

Is there any discussion?

Assemblywoman Spiegel:

One thing that struck me about the policy in this bill is that I have a letter of support from an out-of-state provider who said that this is really good legislation

and that it is needed. For that reason, I am going to be supporting this bill. It really is good legislation.

Chair Dondero Loop:

Thank you very much. We have a motion on the floor.

THE MOTION PASSED. (ASSEMBLYMEN HOGAN AND PIERCE WERE ABSENT FOR THE VOTE.)

Mr. Oscarson will take the floor statement on that bill.

Senate Bill 315 (1st Reprint) is next.

Senate Bill 315 (1st Reprint): Revises provisions relating to health districts. (BDR 40-1066)

Kirsten Bugenig, Committee Policy Analyst:

[Mrs. Bugenig read a description of the bill and proposed amendment from the work session document ([Exhibit K](#)).]

Chair Dondero Loop:

Before I take a motion I would like to remind the Committee that, although this proposed amendment was presented during the hearing, it is my understanding that the sponsor does not consider this a friendly amendment. As a result, I will be taking a motion of do pass.

ASSEMBLYWOMAN BENITEZ-THOMPSON MOVED TO DO PASS
SENATE BILL 315 (1ST REPRINT).

ASSEMBLYMAN EISEN SECONDED THE MOTION.

Is there any discussion?

Assemblywoman Fiore:

My concern is designating one specific industry instead of having it open. Can we amend this bill? I am not opposed to adding someone, but I am having a tough time understanding why we would be adding someone from a recycling company.

Chair Dondero Loop:

I believe Mr. Thompson might have an answer to that.

Assemblyman Thompson:

I believe the statement made during the hearing was that at least 70 percent of the issues that come before the health district have been recycling related. That is what I have in my notes as being the reason they are specifying a recycling representative.

Assemblywoman Fiore:

With all the recycling companies we have and the different types of recycling they do, why are we getting recycling specific?

Assemblywoman Benitez-Thompson:

Madam Chair, we have a motion and a second. I move we call for a vote.

Chair Dondero Loop:

Yes. I see that we had quite a lengthy discussion on this issue. The sponsor has the right to decline the amendment, so that is how we will be voting this bill out of Committee.

We have a motion to do pass and a second.

THE MOTION PASSED. (ASSEMBLYMEN FIORE AND HAMBRICK VOTED NO. ASSEMBLYMEN HOGAN AND PIERCE WERE ABSENT FOR THE VOTE.)

Assemblywoman Fiore:

I want to reserve my right to change my vote on the floor of the Assembly.

Chair Dondero Loop:

The floor statement goes to Dr. Eisen.

Senate Bill 338 (1st Reprint) is next.

Senate Bill 338 (1st Reprint): Changes the term "mental retardation" to "intellectual disability" in NRS. (BDR 39-52)

Kirsten Bugenig, Committee Policy Analyst:

[Mrs. Bugenig read an explanation of the bill from the work session document ([Exhibit L](#)).]

Chair Dondero Loop:

May I have a motion?

ASSEMBLYWOMAN BENITEZ-THOMPSON MOVED TO DO PASS
SENATE BILL 338 (1ST REPRINT).

ASSEMBLYMAN OSCARSON SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN HOGAN AND PIERCE
WERE ABSENT FOR THE VOTE.)

We will ask Mr. Martin to make the floor statement.

We are moving on to Senate Bill 318 (1st Reprint).

Senate Bill 318 (1st Reprint): Requires the Commissioner of Insurance to
conduct a study concerning claims, coverage and payments under
policies of dental and health insurance. (BDR S-1061)

Kirsten Bugenig, Committee Policy Analyst:

[Mrs. Bugenig read a description of the bill from the work session document
([Exhibit M](#)).]

Chair Dondero Loop:

I will entertain a do pass motion.

ASSEMBLYMAN OSCARSON MOVED TO DO PASS
SENATE BILL 318 (1ST REPRINT).

ASSEMBLYWOMAN SPIEGEL SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN HOGAN AND PIERCE
WERE ABSENT FOR THE VOTE.)

Mr. Hickey will take this floor statement.

Next is Senate Bill 410 (1st Reprint).

Senate Bill 410 (1st Reprint): Revises provisions governing hypodermic devices.
(BDR 40-451)

Kirsten Bugenig, Committee Policy Analyst:

[Mrs. Bugenig read a description of the bill from the work session document
([Exhibit N](#)).]

Madam Chair, there were no amendments presented during the hearing, but it is my understanding that Assemblywoman Benitez-Thompson has a conceptual amendment she would like to present.

Assemblywoman Benitez-Thompson:

I want to thank the bill's sponsor, Senator Parks, and the folks from Northern Nevada HOPES for working with me to add some amendments to a couple of sections. These amendments are conceptual and have just been posted to the Nevada Electronic Legislative Information System (NELIS) ([Exhibit O](#)).

In section 4 we would add the language "or be a licensed medical facility" so that it could be a government entity such as HAWC Community Health Centers, our free clinics, a nonprofit like Northern Nevada HOPES, or any other type of medical facility.

Section 5 is where we talk about safe collection and disposal of hypodermic devices. The conceptual amendment would add language along the lines that the entity has to provide a reciprocal device or container for the dirty needles to go into. As they hand out needles, they can also be handing out disposal containers for those needles, which is something HOPES does and all other programs should do.

In section 6 it talks about training. Just as HOPES does, any other program that does this should also have an outreach component in addition to the training piece.

Language in section 9, subsection 5 talks about data collected from the program. Somewhere in the bill is language about tracking the numbers of needles going out and coming back to the program and that those numbers would be reported once every six months to the State Board of Health.

I want to clarify the real intent, because I know the Legal Division will work on the language. It is not that the Health Board has any onus or responsibility or regulatory oversight, just that whatever program is administering this would go under public comment since the information is made public. The programs track the inventory anyway and we just want it put in a public spot, and at the Board of Health meetings seems to be a good place. The onus would be on the syringe program to put those numbers on the record once every six months.

Again, I want to thank Senator Parks and the health district and HOPES. Northern Nevada HOPES, since they are probably going to be the first program to do this, could be the gold standard in the community. We wanted to put

much of what they are doing into this language to make sure everyone does it as well as they do.

Chair Dondero Loop:

I will entertain a motion to amend and do pass.

ASSEMBLYMAN SPRINKLE MOVED TO AMEND AND DO PASS
SENATE BILL 410 (1ST REPRINT).

ASSEMBLYMAN EISEN SECONDED THE MOTION.

Is there any discussion?

Assemblyman Duncan:

I will be voting for this bill, but for the record, it does concern me. Are we encouraging people to use drugs? We are exempting trace amounts that might be found. I see the merit to this and that it has been used in other states. I just want to put that on the record, but I will be voting yes.

Chair Dondero Loop:

Are there any additional comments? [There was no response.]

THE MOTION PASSED. (ASSEMBLYMEN HOGAN AND PIERCE
WERE ABSENT FOR THE VOTE.)

I think it would be fitting, Mrs. Benitez-Thompson, if you would do this floor statement.

Let us move on to Senate Bill 448 (1st Reprint).

Senate Bill 448 (1st Reprint): Instructs the Legislative Committee on Health
Care to consider methods to promote federally qualified health centers
and rural health clinics. (BDR S-95)

Kirsten Bugenig, Committee Police Analyst:

[Mrs. Bugenig read a description of the bill from the work session document
([Exhibit P](#)).]

Chair Dondero Loop:

I would entertain a motion on Senate Bill 448 (1st Reprint).

ASSEMBLYMAN HAMBRICK MOVED TO DO PASS
SENATE BILL 448 (1ST REPRINT).

ASSEMBLYMAN SPRINKLE SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN HOGAN AND PIERCE
WERE ABSENT FOR THE VOTE.)

Next is Senate Bill 449 (1st Reprint).

Senate Bill 449 (1st Reprint): Revises certain provisions relating to the unlawful
disposal of effluent or solid waste. (BDR 40-121)

Kirsten Bugenig, Committee Policy Analyst:

[Mrs. Bugenig read a description of the bill from the work session document
([Exhibit Q](#)).]

Chair Dondero Loop:

I will entertain a motion.

ASSEMBLYWOMAN FIORE MOVED TO DO PASS
SENATE BILL 449 (1ST REPRINT).

ASSEMBLYMAN SPRINKLE SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN HOGAN AND PIERCE
WERE ABSENT FOR THE VOTE.)

Mr. Thompson, Mr. Ohrenschall is a cosponsor on this bill, but I am going to ask
you to carry it. We will check with him to see if he wants to make the floor
statement.

Senate Bill 450 (1st Reprint) is our last bill today.

Senate Bill 450 (1st Reprint): Revises the qualifications for certain district
health officers. (BDR 40-1081)

Kirsten Bugenig, Committee Policy Analyst:

[Mrs. Bugenig read a description of the bill and proposed amendment from the
work session document ([Exhibit R](#)).]

Chair Dondero Loop:

May I have a motion to amend and do pass.

ASSEMBLYWOMAN SPIEGEL MOVED TO AMEND AND DO PASS
SENATE BILL 450 (1ST REPRINT).

ASSEMBLYMAN SPRINKLE SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN HOGAN AND PIERCE
WERE ABSENT FOR THE VOTE.)

Dr. Eisen will take the floor statement on this one since he had the amendment.

We are going to recess now [at 3:12 p.m.].

[The meeting was reconvened at 2:43 p.m. on Saturday, May 18, 2013, behind
the bar of the Assembly. With no further business to conduct, it was adjourned
at 2:44 p.m.]

**Senate Bill 381 (1st Reprint): Makes various changes to prevent recipients of
certain public assistance from using benefits in certain businesses.
(BDR 38-459)**

[There was no action taken on this bill.]

RESPECTFULLY SUBMITTED:

Terry Horgan
Committee Secretary

APPROVED BY:

Assemblywoman Marilyn Dondero Loop, Chair

DATE: _____

EXHIBITS

Committee Name: Committee on Health and Human Services

Date: May 17, 2013

Time of Meeting: 2:41 p.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
S.B. 80	C	Kirsten Bugenig, Committee Policy Analyst	Work session document
S.B. 112 (R1)	D	Kirsten Bugenig	Work session document
S.B. 167 (R1)	E	Kirsten Bugenig	Work session document
S.B. 206 (R1)	F	Kirsten Bugenig	Work session document
S.B. 233	G	Kirsten Bugenig	Work session document
S.B. 258 (R1)	H	Kirsten Bugenig	Work session document
S.B. 276 (R1)	I	Kirsten Bugenig	Work session document
S.B. 285	J	Kirsten Bugenig	Work session document
S.B. 315 (R1)	K	Kirsten Bugenig	Work session document
S.B. 338 (R1)	L	Kirsten Bugenig	Work session document
S.B. 318 (R1)	M	Kirsten Bugenig	Work session document
S.B. 410 (R1)	N	Kirsten Bugenig	Work session document
S.B. 410 (R1)	O	Assemblywoman Benitez-Thompson	Conceptual amendment
S.B. 448 (R1)	P	Kirsten Bugenig	Work session document
S.B. 449 (R1)	Q	Kirsten Bugenig	Work session document
S.B. 450 (R1)	R	Kirsten Bugenig	Work session document