

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

**Seventy-Seventh Session  
March 1, 2013**

The Committee on Health and Human Services was called to order by Chair Marilyn Dondero Loop at 12:38 p.m. on Friday, March 1, 2013, 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 [nelis.leg.state.nv.us/77th2013](http://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](mailto: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 Joseph M. Hogan  
Assemblyman Andrew Martin  
Assemblyman James Oscarson  
Assemblywoman Peggy Pierce  
Assemblyman Michael Sprinkle

**COMMITTEE MEMBERS ABSENT:**

Assemblyman Steven Brooks (excused)

**GUEST LEGISLATORS PRESENT:**

None



**STAFF MEMBERS PRESENT:**

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

**OTHERS PRESENT:**

Tina Gerber-Winn, Deputy Administrator, Aging and Disability Services  
Division, Department of Health and Human Services

**Chair Dondero Loop:**

[Roll was taken. Committee rules and protocol were explained.]

Before we begin with our bill hearing, I would like to have a work session on Assembly Bill 80. In front of you is a binder with a copy of the work session document ([Exhibit C](#)), which is also available on the Nevada Electronic Legislative Information System (NELIS). These binders will be kept in our committee room so staff can update them for each work session, or you may take the documents with you if you prefer. I will now have our Committee Policy Analyst, Kirsten Bugenig, walk us through the bill.

**Assembly Bill 80: Creates the Task Force on Alzheimer's Disease within the Health Division of the Department of Health and Human Services. (BDR 40-546)**

**Kirsten Bugenig, Committee Policy Analyst:**

We heard the bill this past Monday. Former State Senator Valerie Wiener and representatives of the Alzheimer's Association presented the bill. It was brought forth from Assembly Concurrent Resolution No. 10 of the 76th Session. The resolution directed the Legislative Committee on Health Care to create a task force to develop a state plan to address Alzheimer's disease in Nevada. This bill would codify that task force.

Assembly Bill 80 creates the task force on Alzheimer's disease within the Health Division of the Department of Health and Human Services. The Director of the Department of Health and Human Services appoints seven voting members and the Legislative Commission appoints two voting members, one from the Assembly and one from the Senate. The composition of the task force includes representatives from the Department of Health and Human Services, an association that provides services to persons with Alzheimer's disease, a member at large, and persons with expertise in cognitive disorders including

a medical professional, a caregiver, a representative of the Nevada System of Higher Education, and a provider of services.

The task force must carry out the state plan as developed, revise the plan as needed, prioritize action steps, and research any other issues relevant to Alzheimer's disease. Additionally, the task force must submit an annual report to the Governor and Director of the Legislative Counsel Bureau with findings and recommendations.

There were two amendments proposed by former Senator Wiener. The first is to change the establishment of the task force from the Health Division to the Department of Health and Human Services. It also would add one representative from a rural area, which would increase the membership of the task force to ten.

**Chair Dondero Loop:**

Are there any questions for staff on this bill? [There were none.] Is there a motion?

ASSEMBLYWOMAN SPIEGEL MOVED TO AMEND AND DO PASS  
ASSEMBLY BILL 80.

ASSEMBLYMAN SPRINKLE SECONDED THE MOTION.

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

The motion carries. I will assign the floor statement later.

I will now open the hearing on Assembly Bill 53. This bill revises certain provisions relating to the review and reporting of traumatic brain injuries.

**Assembly Bill 53: Revises certain provisions relating to the review and reporting of traumatic brain injuries. (BDR 38-308)**

**Tina Gerber-Winn, Deputy Administrator, Aging and Disability Services Division,  
Department of Health and Human Services:**

I am here to present a bill regarding our Subcommittee on Traumatic Brain Injuries. The point of the bill is to dissolve the subcommittee based on the fact that it has been inactive since 2010. We would also like to remove the requirement on our agency to collect traumatic brain injury data. The Health Division currently has a registry for this data, so it would be duplicative for us to create or maintain another registry for traumatic brain injury

information. We support this bill as it reads because it removes an inactive committee. There is no fiscal note related to this bill. We abolished *Nevada Revised Statutes* (NRS) 427A.810 through NRS 427A.840. Our Commission on Services for Persons with Disabilities does have representation from the traumatic brain injury industry. We have one member who comes to the committee to talk about issues concerning people with traumatic brain injury.

**Assemblywoman Benitez-Thompson:**

Could you tell me more about the history behind the formation of the Subcommittee on Traumatic Brain Injuries? How did it come into being?

**Tina Gerber-Winn:**

We had a planning grant. Federal legislation regarding traumatic brain injury service delivery required our planning grant to create an advisory committee. That occurred when this function was in the Office of Disability Services some years ago—possibly in 2003. I am not exactly sure how this subcommittee came to be added to statute. At this point there is no planning grant, so there is no longer the federal requirement for an advisory committee. Our Committee on Services for People with Disabilities is very interested in service delivery to people with traumatic brain injury.

**Chair Dondero Loop:**

Are there additional questions from the Committee? [There was no response.] Is there a reason that this subcommittee did not meet?

**Tina Gerber-Winn:**

We did try to schedule quarterly meetings, but had great difficulty getting a quorum. The committee was approximately ten members, and the original intent had been to create a treatment-type advisory board. The membership included individuals from psychiatric facilities, mental health facilities, and rehab facilities. Participation may not have been deemed to be as enticing or necessary because we did have services established within the State and within our Department.

**Assemblyman Sprinkle:**

Will your overall committee still actively be looking at traumatic brain injury? Will it be doing what, hopefully, some of the requirements of this subcommittee are? I just want to make sure we are not dropping the ball on a very important and very timely issue.

**Tina Gerber-Winn:**

Yes, our Committee on Services for People with Disabilities will follow traumatic brain injury. We also have an established position within our Division. The person who is managing our service delivery for rehabilitation also looks at the federal legislation regarding health benefits. In addition, we receive advice from the Administration on Aging regarding prevention. We are still actively looking at policy and advising our committee about delivery of services for people with traumatic brain injuries.

**Assemblyman Eisen:**

This is a very important issue, but I understand the idea of eliminating the subcommittee if it was not meeting. I think the bigger question revolves around the thought that if the subcommittee was important enough to form, why did it not continue to try to meet? If that is not the most efficient way, I can go along with that. I am looking at page 3, lines 23 and 24 of the bill. I understand the change in the first half of that sentence which takes out references to sections that will be repealed by this bill. However, I am not sure of the reason behind the third deletion in that sentence. Why has the language stating "obtain information concerning traumatic brain injuries" been removed if we are still going to be obtaining that information but it is just not going to go to the subcommittee? Is there a reason that phrase is marked for deletion as well?

**Tina Gerber-Winn:**

We could look at adding that phrase back in if it is too much of a scratch. We definitely can obtain data from the Health Division, and would be amenable to adding that language back in to define particularly what information we can receive. We would also be open to looking at the composition of the members of the subcommittee. That might be helpful. Recruiting members is definitely always an issue for us. It is hard to get people and it is the same group of people who volunteer their time. We certainly can look at the membership to see if perhaps that would spark more opportunity for participation.

**Assemblyman Sprinkle:**

I strongly agree with Assemblyman Eisen's comments. I thought I heard you say in your opening comments that there is another agency that is acquiring data about this and already putting that data into some sort of system. Would this almost be a redundancy or did I misunderstand you?

**Tina Gerber-Winn:**

The Health Division does have a statute that requires them to collect information on traumatic injuries, which includes brain injuries. There is also a bill draft sponsored by State Senator Woodhouse regarding firming up a

registry for trauma that would add additional structure. This morning I spoke to Marla McDade Williams who works for the Health Division. We are more than willing to work together to collect information from her to offer to our committee to consider. The data will be available; we just will not collect it. The data will be available at the Health Division, and we can use that data in our own subcommittee and committee meetings.

**Assemblyman Sprinkle:**

If the committee on disability is still gathering data, would it not also be prudent to potentially be able to submit that data into the base, or however you are doing it, just so we make sure whatever information is out there becomes public knowledge and can be used to work on these issues? I think that is what Assemblyman Eisen and I are getting at.

**Tina Gerber-Winn:**

As an agency, we have the responsibility to collect data. The redundancy occurs when the Health Division collects the same information. We are trying to eliminate that duplication. Our committee reviews data we give to them from our sources, including the Health Division. The data would still be available to the committee, or any subcommittee we had; we just would not collect it as our agency. We would ask and work with the Health Division to collect that information.

**Assemblyman Oscarson:**

It is not that you do not want this information; it is that you could not get the participation from the people you needed to make it viable. Is that correct?

**Tina Gerber-Winn:**

That is correct.

**Chair Dondero Loop:**

When you were talking about collecting information, does a federal arm such as the Centers for Disease Control and Prevention or a similar agency collect this information?

**Tina Gerber-Winn:**

I would have to look into that to tell you. I am assuming there is, but I do not want to misstate.

**Chair Dondero Loop:**

So they do not contact us for information to collect it on a national level.

**Tina Gerber-Winn:**

Not on a regular basis.

**Chair Dondero Loop:**

Are there additional questions or comments from the Committee? [There were none.] Does anyone wish to speak in support of Assembly Bill 53? [There was no response.] Does anyone have testimony in opposition to A.B. 53? [There was no response.] Is anyone neutral on A.B. 53? [There was no response.] I will close the hearing on A. B. 53. Is there any public comment? [There was no response.] Are there any comments from Committee members?

**Assemblyman Hogan:**

Has anyone heard how and when the Department of Health and Human Services will begin to search for or select members for the task force?

**Chair Dondero Loop:**

For the Alzheimer's Task Force? I do not know the answer to that, but I will have Ms. Bugenig email Senator Wiener and get you that information.

**Assemblyman Hogan:**

I ask because there are one or more elected members of the Assembly who are affected by that disease, so there might be some volunteers among our colleagues.

**Chair Dondero Loop:**

We will definitely let our members know when the task force on that very important subject is selected. Thank you. We are adjourned [at 12:55 p.m.].

RESPECTFULLY SUBMITTED:

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Terry Horgan  
Committee Secretary

APPROVED BY:

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Assemblywoman Marilyn Dondero Loop, Chair

DATE: \_\_\_\_\_

**EXHIBITS**

**Committee on Health and Human Services**

**Date:** March 1, 2013

**Time of Meeting:** 12:38 p.m.

<b>Bill</b>	<b>Exhibit</b>	<b>Witness / Agency</b>	<b>Description</b>
	A		Agenda
	B		Attendance Roster
A.B. 80	C	Kirsten Bugenig, Committee Policy Analyst	Work session document