

**MINUTES OF THE
SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES**

**Seventy-Seventh Session
February 21, 2013**

The Senate Committee on Health and Human Services was called to order by Chair Justin C. Jones at 3:56 p.m. on Thursday, February 21, 2013, in Room 2149 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Justin C. Jones, Chair
Senator Debbie Smith, Vice Chair
Senator Tick Segerblom
Senator Joseph P. Hardy
Senator Ben Kieckhefer

STAFF MEMBERS PRESENT:

Marsheilah D. Lyons, Policy Analyst
Risa Lang, Counsel
Joyce Hinton, Committee Secretary

OTHERS PRESENT:

Marla McDade Williams, B.A., M.P.A., Deputy Administrator, Health Division,
Department of Health and Human Services
Chad W. Westom, Chief, Bureau of Health Statistics, Planning, Epidemiology
and Response, Health Division, Department of Health and Human
Services
Tom Clark, Regional Emergency Medical Services Authority
Rusty McAllister, President, Professional Fire Fighters of Nevada
Ryan Beaman, President, Clark County Fire Fighters Local 1908
Rory Chetelat, Manager, Emergency Medical Services and Trauma System,
Southern Nevada Health District
Tina Gerber-Winn, Deputy Administrator, Aging and Disability Services Division,
Department of Health and Human Services

Senate Committee on Health and Human Services
February 21, 2013
Page 2

Gary Olsen, Nevada Commission on Services for Persons with Disabilities, Aging and Disability Services Division, Department of Health and Human Services

Chair Jones:

We will open the hearing on Senate Bill (S.B.) 100.

SENATE BILL 100: Revises provisions relating to certain providers of emergency medical services. (BDR 40-501)

Marsheilah D. Lyons (Policy Analyst):

The interim Legislative Committee on Health Care worked very closely with the Health Division (HD), Department of Health and Human Services (DHHS), on this issue.

Marla McDade Williams, B.A., M.P.A. (Deputy Administrator, Health Division, Department of Health and Human Services):

We presented a bill during the 76th Session, but it was too broad. We have limited S.B. 100 to the titles of emergency personnel.

Chad W. Westom (Chief, Bureau of Health Statistics, Planning, Epidemiology and Response, Health Division, Department of Health and Human Services):

The bill revises provisions related to certain providers of emergency medical services (EMS). We support S.B. 100. The bill conforms to *Nevada Revised Statutes* 450B with National Emergency Medical Service Education Standards from 2009. The changes include standards for training and the names used to designate various levels of emergency medical technicians (EMT) and pre-hospital care providers. Standard terms for EMS personnel allow responders to be recognized with a common title and base scope of training uniform in all states. This will allow for ease of employment across state borders in times of natural disasters or mass injury. We have involved numerous stakeholders in the development of this bill including the Committee on Emergency Medical Services, the HD; the International Association of Fire Fighters; the Nevada Fire Chiefs Association; the Northern Nevada Fire Chiefs Association; the Southern Nevada Health District; the Nevada State Firefighter's Association and the State Board of Nursing. They represent a wide spectrum of EMS providers across the State.

Tom Clark (Regional Emergency Medical Services Authority):

The Regional Emergency Medical Services Authority is the ambulance provider in Washoe County. We support the bill.

Chair Jones:

As a disclosure, Mr. Clark works for my law firm.

Rusty McAllister (President, Professional Fire Fighters of Nevada):

We support S.B. 100. We were told there would be an amendment proposed to change the implementation date to give current personnel time to qualify under the new standards. If it is implemented on October 1, 2013, there will be a large number of EMTs who would not meet the qualifications and no longer be certified. We do support the bill, but we have concerns about the implementation date.

Chair Jones:

Do you have a recommended effective date?

Mr. McAllister:

We discussed putting the effective date 3 years out so current personnel would have the opportunity to get the training required to implement the changes.

Senator Hardy:

What would happen during the 3-year period? When would it take effect?

Mr. McAllister:

Most recertification processes take 2 years. Some people are in the middle of their recertification process. The 3-year period would give the opportunity for everyone to meet the new standards. There are specific qualifications and skills that are different and would need to be added to training.

Senator Hardy:

Could we add language to grandfather current personnel? I would like the provisions to take effect sooner than 3 years, but there needs to be a transition period.

Mr. McAllister:

The HD indicated they would be willing to put an immediate implementation date for those seeking first-time certification. They suggested a 3-year period

for those already certified as EMT intermediates who need to update their skills and qualifications.

Ryan Beaman (President, Clark County Fire Fighters Local 1908):

We support S.B. 100. We do have concerns about the implementation date. Clark County has a large number of intermediate EMTs who would need additional training.

Rory Chetelat (Manager, Emergency Medical Services and Trauma System, Southern Nevada Health District):

The October 1, 2013 implementation date in section 52 allows us to begin developing regulations and performing preliminary administrative tasks necessary to implement the changes. The Southern Nevada Health District's plan is to make the regulatory changes and then begin the process to elevate the training levels over a 2- to 3-year period. It would allow us to certify immediately those who have already met the new requirements and to transition current personnel to the appropriate levels.

Mr. Westom:

We would be receptive to including additional time for personnel to update their training in order to qualify.

Senator Hardy:

Do you have proposed language?

Mr. Westom:

We have some language, but it needs more work. We will come back when it is ready.

Chair Jones:

I will close the hearing on S.B. 100. We are going to open a work session starting with S.B. 51.

SENATE BILL 51: Makes various changes relating to the regulation of certain nonmedical and medical services provided to persons with disabilities. (BDR 40-309)

Ms. Lyons:

All amendments and supporting documents are included in the work session documents ([Exhibit C](#), [Exhibit D](#) and [Exhibit E](#)).

Chair Jones:

There are a number of amendments to S.B. 51, [Exhibit C](#).

Senator Hardy:

I have a number of questions regarding S.B. 51. On page 2, lines 15-16, if the intermediary service finds a family member able to be the personal assistant, is he or she subjected to a criminal background check? What if that person is already doing those tasks? Are lines 1-2 of page 3 referencing a temporary or long-term disability? What is the reasoning for the age on page 3, lines 23-24? Is there a reason it is 21 years old and not 18 years old? What evidence is satisfactory on page 3, line 31? Would a letter from a fourth grade teacher work? What are we doing to protect the social security numbers required on page 3, lines 44-45? Page 4, line 18 discusses court orders for support of a child. Are we concerned about court orders for support of a spouse, either present or former? How is morals, as used on page 5, line 34, defined in statute? There was no fiscal note even though section 16 calls for an investigation. Lastly, on page 10, section 21 calls for two sets of fingerprints to be submitted to the Central Repository for Nevada Records of Criminal History, Records and Technology Division, Department of Public Safety. When someone is fingerprinted, they often take electronic fingerprints. Electronic fingerprints can be sent to anyone capable of receiving them. I do not think it makes sense to require two sets of fingerprints as long as an electronic set is available.

Ms. McDade Williams:

This bill came from the Aging and Disability Services Division, DHHS. It just moved over existing language.

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

I am happy to work with Senator Hardy to answer all his questions.

Chair Jones:

I would like to have Ms. Gerber-Winn and Senator Hardy work on this, and we will bring it back for another work session later.

I will close the work session on S.B. 51. We will move on to S.B. 54.

SENATE BILL 54: Revises provisions governing the operation of certain vending stands by persons who are blind or visually impaired. (BDR 38-370)

Ms. Lyons:

There is one amendment to S.B. 54, Exhibit D. During testimony, there was concern expressed by representatives of Clark County about the ability of agencies to recoup costs if there was an increase in expenses related to the vending stands. The Department of Employment, Training and Rehabilitation (DETR) worked with the interested parties and submitted the agreed upon amendment. There is also information provided by DETR regarding the set-aside funds discussed during committee.

Chair Jones:

I will close the work session on S.B. 54.

SENATOR SEGERBLOM MOVED TO AMEND AND DO PASS AS AMENDED S.B. 54.

SENATOR KIECKHEFER SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

* * * * *

Chair Jones:

I am opening the work session on S.B. 61.

SENATE BILL 61: Revises certain provisions relating to persons with communications disabilities. (BDR 38-310)

Ms. Lyons:

There are two amendments proposed to S.B. 61, Exhibit E. The first amendment revises the composition of the Subcommittee on Communication Services for Persons Who Are Deaf or Hard of Hearing and Persons with Speech Disabilities (Subcommittee) to consist of nine persons and specifies qualifications for five of those members. The second amendment revises duties and responsibilities of the Subcommittee. It is new language.

Chair Jones:

Mr. Olsen, would you please explain paragraphs (j) and (k) in your second amendment in Exhibit E, page 2?

Gary Olsen (Nevada Commission on Services for Persons with Disabilities, Aging and Disability Services Division, Department of Health and Human Services):

We need to update the telecommunications relay system. There is a need for advice from constituents and staff to provide guidance to enhance the relay system. The members of the Subcommittee should also have the opportunity to participate in the request for proposal (RFP) process. Too often, our needs are left out of the RFP process. If we are included in the process, the services will better serve the public, the consumers and the users of the relay system. The proposed changes will give the opportunity for more skilled people to join the Subcommittee. They will be able to participate and learn the whole process. We want to prepare and plan better services for the State.

Chair Jones:

In paragraph (k), what do you envision the Subcommittee's participation in the bidding process will be?

Mr. Olsen:

They will participate in two parts. First, they will be present to identify what is lacking. Second, they will be able to contribute to improvements of the RFP in terms of meeting the needs of the population. We have not had the opportunity

to give input, but with the right procedures, the Subcommittee can send two representatives to contribute to the RFP process. We want to be more involved.

Chair Jones:

How does the Subcommittee work, and do you have any concerns with the second amendment?

Ms. Gerber-Winn:

The Subcommittee meets on a quarterly basis to give feedback on deaf and hard of hearing advocacy centers and communication services. They serve in an advisory capacity to the Aging and Disability Services Division, DHHS. The Subcommittee meets on a regular basis to discuss legislation and problems. I do have some concerns with the amendment. The language stating their duties of giving advice and guidance is the intent of the bill. I am concerned with the RFP process in paragraphs (j) and (k) on page 2 of [Exhibit E](#). The bidding process must be unbiased and regulated. When we submit RFPs, people bidding must respond to a variety of questions and submit to background checks. We do have the opportunity to allow the Subcommittee to offer suggestions on the scope of the RFP. That is the fairest process we have used.

Chair Jones:

Ms. Gerber-Winn, will paragraph (j) inhibit your ability to do your job if the Subcommittee is merely providing review and advice? Paragraph (k) is problematic too, and I think we should strike it.

Ms. Gerber-Winn:

If the Subcommittee is only giving advice, it will not inhibit our performance. I have an issue with the language of oversight.

Chair Jones:

Are you concerned with the "participate in the oversight" language?

Ms. Gerber-Winn:

Yes.

Senator Kieckhefer:

Paragraph (d) requires the Subcommittee to create a 5-year plan. Those plans are time consuming and expensive. Do you have cost allocations on how much

time and resources the Aging and Disability Services Division allocates to the Subcommittee? Will this result in a fiscal note?

Ms. Gerber-Winn:

We do use a cost allocation program, and all staff record time spent on programs. We know how much time staff spends on this Subcommittee as well as any other committee or work project. In our budget proposal to the Public Utilities Commission of Nevada we set aside funding for consulting to create a 5-year plan. The Subcommittee could then help monitor the plan. It would not need additional funding since we already have regular meetings with them.

Senator Kieckhefer:

How would you envision the Subcommittee monitoring a statewide interpreter and real-time captioning service as outlined in paragraph (h)?

Ms. Gerber-Winn:

We would need to review the applicable *Nevada Administrative Code* to prepare an orientation for the Subcommittee on what is currently happening. They could then give advice on changes.

Senator Hardy:

I am concerned with the looseness of the verbiage. I would feel more comfortable if the conceptual amendments were written in legalese. After that, we can look at everything again and understand what is happening. The Legislative Counsel Bureau needs to be involved.

Chair Jones:

I share Senator Hardy's concerns. I would ask Senator Hardy to work with the interested parties and put together a more concrete amendment in the next week.

Senator Hardy:

I would be happy to work with them.

Senate Committee on Health and Human Services
February 21, 2013
Page 10

Chair Jones:

I will close the work session on S.B. 61. The meeting is adjourned at 4:32 p.m.

RESPECTFULLY SUBMITTED:

Caitlin Brady,
Committee Secretary

APPROVED BY:

Senator Justin C. Jones, Chair

DATE: _____

<u>EXHIBITS</u>				
Bill	Exhibit		Witness / Agency	Description
	A			Agenda
	B			Attendance Roster
S.B. 51	C	3	Marsheilah D. Lyons	Work Session Document
S.B. 54	D	4	Marsheilah D. Lyons	Work Session Document
S.B. 61	E	2	Marsheilah D. Lyons	Work Session Document