

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

**Seventy-Eighth Session
March 30, 2015**

The Committee on Health and Human Services was called to order by Chair James Oscarson at 1:04 p.m. on Monday, March 30, 2015, in Room 3138 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4401 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: www.leg.state.nv.us/App/NELIS/REL/78th2015. In addition, copies of the audio or video of the meeting may be purchased, for personal use only, through the Legislative Counsel Bureau's Publications Office (email: publications@lcb.state.nv.us; telephone: 775-684-6835).

COMMITTEE MEMBERS PRESENT:

Assemblyman James Oscarson, Chair
Assemblywoman Robin L. Titus, Vice Chair
Assemblyman Nelson Araujo
Assemblywoman Teresa Benitez-Thompson
Assemblywoman Jill Dickman
Assemblyman David M. Gardner
Assemblyman John Hambrick
Assemblywoman Amber Joiner
Assemblyman Brent A. Jones
Assemblyman John Moore
Assemblywoman Ellen B. Spiegel
Assemblyman Michael C. Sprinkle
Assemblyman Tyrone Thompson
Assemblyman Glenn E. Trowbridge

COMMITTEE MEMBERS ABSENT:

None



GUEST LEGISLATORS PRESENT:

Assemblyman James Ohrenschall, Assembly District No. 12
Assemblywoman Irene Bustamante Adams, Assembly District No. 42

STAFF MEMBERS PRESENT:

Kirsten Coulombe, Committee Policy Analyst
Risa Lang, Committee Counsel
Nancy Weyhe, Committee Secretary
Jamie Tierney, Committee Assistant

OTHERS PRESENT:

Adrienne Abbott, Vice Chair, Committee for the Statewide Alert System
Jane Gruner, Administrator, Aging and Disability Services Division,
Department of Health and Human Services
Brian M. Patchett, President and Chief Executive Officer, Easter Seals
Nevada
Shelley Hendren, Administrator, Rehabilitation Division, Department of
Employment, Training and Rehabilitation
Mark L. Olson, President and Chief Executive Officer, LTO Ventures,
Henderson, Nevada
Santa Perez, President, People First of Nevada
Sherry Manning, Executive Director, Nevada Governor's Council
on Developmental Disabilities, Department of Health and
Human Services
Diana Rovetti, President, Down Syndrome Network of Northern Nevada
Ed Guthrie, Chief Executive Officer, Opportunity Village, Las Vegas,
Nevada
Marcia O'Malley, Private Citizen, Reno, Nevada
Ian Zehner, Private Citizen, Reno, Nevada
Mary Liveratti, representing Nevada Commission on Autism Spectrum
Disorders
Bobbie Gang, Private Citizen, Incline Village, Nevada
Karen Schnog, Private Citizen, Las Vegas, Nevada
Kevin Schiller, Interim Director, Department of Social Services,
Washoe County
Lisa Foster, representing State of Nevada Association of Providers
Dan Musgrove, Vice Chair, Clark County Children's Mental Health
Consortium
Marlene Lockard, representing Nevada Women's Lobby
Jeff Fontaine, Executive Director, Nevada Association of Counties

Chair Oscarson:

[Roll was taken. Committee rules and protocol were explained.] We will now begin our work session with Assembly Bill 164.

Assembly Bill 164: Revises provisions relating to access by patients to certain investigational drugs, biological products and devices. (BDR 40-125)

Kirsten Coulombe, Committee Policy Analyst:

Assembly Bill 164, as the members will recall, came up in a work session, but we had it pulled so a working group could work out some of the amendments. Assembly Bill 164 is sponsored by Assemblyman James Ohrenschall. It authorizes a manufacturer to provide or make available an investigational drug, biological product, or device to a patient diagnosed with a terminal condition if a physician prescribes or recommends such drugs, products, or services after certain conditions are met. [Continued to read from [\(Exhibit C\)](#).]

The amendments to this bill are attached [page 3, [\(Exhibit C\)](#)].

Chair Oscarson:

This is certainly an opportunity where two bills were combined, and there was cohesive discussion on both sides. I would like Assemblywoman Titus to share a little about the conversation and how that brought about this legislation.

Assemblywoman Titus:

I want to acknowledge Assemblyman Sprinkle, Assemblyman Ohrenschall, and Assemblywoman Fiore for sitting down at the table with members of insurance companies and many members of the community who would potentially be affected by this bill to make it a good, strong bill to represent Nevada. This is a nationwide push now, and this bill will at least open the door for some potential lifesaving care for patients. I want to thank Kirsten Coulombe for promoting good, thorough discussion at the table and getting everyone there.

There was concern from many about the determination of what a terminal illness is. We wanted to make sure that was consistent with other places in our statute, which listed it as one year. One of the tremendous concerns that I had was about informed consent and making sure that this was a solid document and that patients understood what that was about. Another concern was where this policy stood with the insurance industry so what you see before you today with the amendments is the result of all those cooperative efforts.

Chair Oscarson:

Is there any discussion? [There was none.] Assemblyman Ohrenschall, do you have any comments?

Assemblyman James Ohrenschall, Assembly District No. 12:

I want to thank the working group, as well as Assemblywoman Titus and Assemblyman Sprinkle. Ms. Coulombe, thank you very much for all your help on this bill. I know it has been a lot of work. I appreciate Assemblywoman Fiore's willingness to work with me. I think we have taken the best of both bills and some good ideas from Assemblywoman Titus and Assemblyman Sprinkle. The bill is very conservatively written, and I think it will give us the opportunity to see how things work in the next two years since the definition of terminal illness is that last 12 months. A lot of extra precaution has been taken so that we are protecting our constituents against charlatans and snake oil sales people, but also giving them the opportunity to try drugs that drug companies have spent small fortunes on investigating that have already made it through Phase 1 of the FDA process and which have a lot of promise. This could help people, and they will try these experimental drugs with the guidance of their physician or their osteopathic doctor.

I believe we have addressed all the concerns that were brought up in the hearing. I cannot thank the working group enough, and the only thing I might ask the Committee to consider is that Assemblywoman Dickman had asked that her name be added as a cosponsor. I would be agreeable to that if it is the Committee's pleasure.

Kirsten Coulombe:

If the Committee would like, we can add Assemblywoman Dickman as a cosponsor for this amendment.

Chair Oscarson:

Would the Committee like to add an amendment to Assembly Bill 164 to add Assemblywoman Dickman as a cosponsor of the bill? Have all the members of the Committee had a chance to read the amendment? [The members had.] We will start over. Is there a motion?

ASSEMBLYWOMAN DICKMAN MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 164.

ASSEMBLYMAN JONES SECONDED THE MOTION.

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

Chair Oscarson:

Assemblywoman Titus will do the floor statement. We will now open the hearing on Assembly Bill 424. This bill revises provisions governing the Committee for the Statewide Alert System.

[Assemblywoman Titus assumed the Chair.]

Assembly Bill 424: Revises provisions governing the Committee for the Statewide Alert System. (BDR 38-545)

Assemblywoman Irene Bustamante Adams, Assembly District No. 42:

As I have mentioned in previous committee meetings, I was the Chair of the Nevada Legislature's Sunset Subcommittee, and this is one of its bills. The purpose of our committee was to review boards and commissions. We did 31 reviews this last interim, and we gave recommendations whether to continue, modify, consolidate with another entity, or terminate committees. The Sunset Subcommittee unanimously recommended the continuation of the Committee for the Statewide Alert System, which we all know as AMBER Alert.

The Committee for the Statewide Alert System was created in 2003 for overseeing the Statewide Alert System for the safe return of abducted children. The members are volunteers, and they represent state and local law enforcement agencies, Nevada Broadcasters Association, the Department of Transportation, the Children's Advocate appointed by the Attorney General, and one member of the public. The committee's responsibilities include providing training and the monitoring and evaluation of any activations of the system.

An AMBER Alert is an emergency bulletin that is broadcast if a law enforcement agency has confirmed that a child has been abducted, the child is in danger of harm or death, or sufficient descriptive information is available concerning the abductor including the vehicle used in the abduction.

The changes that we are proposing in Assembly Bill 424 are to enable the committee to operate more effectively. In sections 2 through 5, we are proposing creating an account in the State General Fund to be administered by the committee. Section 5 permits volunteers who do not work for a government agency to receive reimbursement for their expenses if there is money in the account. Section 6 authorizes the committee to apply for and accept gifts, grants, and donations.

This is not asking for an appropriation, and it has no fiscal note. The bill is proposing to create an account in the General Fund. It also clearly provides that the Committee for the Statewide Alert System may apply for grants. Having an

account would enable the committee to reimburse members from nongovernmental agencies, such as the Nevada Broadcasters Association, for their expenses associated with any meetings of the committee or any training exercises.

In conclusion, this is very straightforward. The Committee for the Statewide Alert System provides a great service to Nevada communities. The committee asked that the Sunset Subcommittee recommend the establishment of an account and permission to apply for grants so that it can manage its own affairs. We unanimously approved of the recommendation.

Assemblyman Sprinkle:

Other than the per diem that is stated in here, could you give some other examples of what these monies might be used for coming out of the account?

Adrienne Abbott, Vice Chair, Committee for the Statewide Alert System:

I need to disclose that I am one of the people who would benefit from this legislation. Some of the expenses I encounter as a non-state or local government employee are for travel to and from the meetings, printing the agendas for the meeting, and things like that. I am also invited to speaking engagements to do presentations on AMBER Alert and public relations type of work. The whole training process for which the committee is responsible, which is in our legislation, also incurs expenses. There are a number of out-of-pocket expenses for which people who are not in state or local government and who were appointed to the committee as part of their job are responsible.

Assemblywoman Dickman:

Is this part of the AMBER Alert System, or is this a separate account? If so, why is it not included in the AMBER Alert System?

Adrienne Abbott:

Our original bill did not provide any funding. The intent of the legislation was that this would not be a drain on the taxpayer. However, the review committee that was set up in our legislation has encountered expenses. We have also encountered grants. In 2004, we received a grant and had no mechanism to receive the funds. That was something that the Nevada Broadcasters Association and the Emergency Alert System Committee worked together to set up an account for. When that grant was used up and the funds reported back to the grantor, the account was closed. When we get donations or grants now, and we are now eligible for those, this would give us a mechanism to deposit the funds, as well as account for the expenditures.

Assemblyman Trowbridge:

I would like to make an observation about your characterization of yourself as one who would benefit from the passing of this bill. I feel quite to the contrary. I think that these types of committee policies in which committee members have to finance their own attendance at meetings, along with other expenses, are a disservice to those who are not in a financial position to support themselves. I think that a legitimate activity like this should be open to anyone. It is a nonpartisan proposal that should be adequately funded to carry itself. It is a good public purpose, and I do not think that you are benefiting personally. This bill is just enabling people who are not in a financial position to support themselves to go to things like this. I think everyone should be able to participate.

Adrienne Abbott:

Everyone who is involved in this committee is personally involved and dedicated. Sometimes we might have trouble finding somebody with that same passion but who does not have the same strength in financial resources. We want to have the finances for them.

Vice Chair Titus:

It is clear that the Committee for the Statewide Alert System already exists and already has 15 members. According to the Sunset Subcommittee's review, some of these commissions and committees do not have an avenue to take these grants that they had and use them. This account would be permanent and not at the whim of whether you have a grant or not, correct? This would be set up as a permanent account to be funded by grants, so no money from the State General Fund is going to be used, is that correct?

Assemblywoman Irene Bustamante Adams:

That is correct, and it already exists. One duty of the Sunset Subcommittee is to not just terminate or consolidate entities, but to make recommendations on how they can operate more effectively. Giving the Committee for the Statewide Alert System an account to receive grants and have a mechanism to do so is the recommendation that we are making.

Vice Chair Titus:

Are there any other questions from the Committee? [There were none.] Is there anyone here or in Las Vegas wanting to testify in favor of Assembly Bill 424? [There was no one.] Is there anyone wanting to testify in opposition? [There was no one.] Is there any testimony in neutral? [There was none.] We will close the hearing on Assembly Bill 424, and we will open the hearing on Assembly Bill 5.

Assembly Bill 5: Revises provisions relating to services for persons with intellectual disabilities and persons with related conditions. (BDR 39-416)

Assemblywoman Teresa Benitez-Thompson, Assembly District No. 27:

During the past year and a half, I had the pleasure of chairing the Legislative Committee on Seniors, Veterans and Adults With Special Needs, which was established by *Nevada Revised Statutes* (NRS) 218E.750. Appointed members of the committee were Senators Hutchison, Spearman, and Manendo, Assemblywoman Spiegel, and Assemblyman Wheeler. The committee met four times and discussed important policy measures pertaining to these important constituencies.

Assembly Bill 5 was the result of our May 2014 meeting. At that meeting, Sherry Manning, the executive director of the Nevada Governor's Council on Developmental Disabilities (NGCDD) in the Department of Health and Human Services, and Scott Harrington, Ph.D., the youth transition director from the Nevada Center of Excellence in Disabilities at the University of Nevada, Reno, jointly presented the following information on Employment First in Nevada. This is the presentation ([Exhibit D](#)). The committee was also presented with a position paper from the Nevada Governor's Council on Developmental Disabilities regarding integrated employment ([Exhibit E](#)). The heart of the position paper is this statement: "Nevadans with an IDD [intellectual/developmental disabilities] must not be deprived of the opportunity to work within the general workforce and make a meaningful contribution."

As discussed at the hearing, Sherry Manning disclosed that the United States Department of Justice (DOJ) had filed several lawsuits regarding Employment First, which the NGCDD's position statement addressed. She offered to provide further documentation regarding a landmark agreement for Rhode Island. Ms. Manning suggested Nevada is vulnerable to possible lawsuits by the DOJ, which is why the NGCDD's Employment First Ad Hoc Committee created the position statement on integrated employment. Since the interim committee's [Legislative Committee on Seniors, Veterans and Adults With Special Needs] last meeting in August, Governor Sandoval issued Executive Order 2013-10 ([Exhibit F](#)). It directs state agencies to make a concerted effort to include persons with disabilities as candidates for employment with "no less than five percent of the openings within the agency."

Assembly Bill 5 is before you today to further these efforts and Nevada's public policy commitment to gainfully employ persons with intellectual disabilities. This bill asks the Division of Aging and Disability Services to work with the Department of Employment, Training and Rehabilitation (DETR) to deliver learning systems that demonstrate measurable skills and progression leading

toward competitive employment outcomes that will likely lead to competitive integrative employment with full-time or part-time work at minimum wage or higher with benefits similar to those held by people without disabilities. There is also consensus language that we have worked on. The consensus amendment ([Exhibit G](#)) is very different in language than the bill that the interim committee voted for, but it is not different in spirit. This has been a product of a number of different conversations with stakeholders, many of whom you will hear from today.

I know that this Committee did not have the benefit of learning, in-depth, what integrated employment is about. At the heart of this bill, we are saying that we need to make a meaningful and sincere effort for persons with intellectual disabilities to employ them in a traditional and typical work setting in which persons without disabilities would seek work. This is the way the federal government is moving. Part of this is for Nevada to get on that trend and make sure we are putting policies in place that will respond to concerns the DOJ might have. We believe we have good language to submit today. Section 1 in the amendment ([Exhibit G](#)) says that the Division shall develop a formal cooperative agreement with DETR to address long-term support needs. It also says that the Division shall give preference to nonprofit organizations, state, or local governments, or agencies that deliver the learning systems that demonstrate the measureable skills that will lead toward more competitive and gainful employment. That is what we are hoping to do with this bill.

Jane Gruner, Administrator, Aging and Disability Services Division, Department of Health and Human Services:

We are very excited about this bill. It aligns with the work we are doing with the Governor's Taskforce on Integrated Employment. That taskforce is tasked with developing three-, five-, and ten-year strategic plans for implementing integrated employment in Nevada. The number one issue here is that this is a pathway out of poverty for persons with intellectual disabilities. The way the system currently works, many persons with intellectual disabilities have never had the option of getting job skill training or being able to move past sheltered employment to minimum wage or higher-paying jobs. I would like to say that on our task force are our sheltered employment employers who have been at the table for this process and been key to changing our system. They developed new programs that are helping individuals learn new or different skills and get job experiences that they have not had in the past. They are at the table, and are key to making this happen. They are changing their business practices to adapt to the new normal for Nevada, where all adults of working age are employed.

Assemblywoman Benitez-Thompson:

You will be hearing from operators of sheltered workplaces who do phenomenal work in this state. In many of our discussions on this language, it was acknowledged that there will always be certain adults with intellectual disabilities who will need a sheltered work environment. They will always need supportive environments. There will always be people with intellectual disabilities who may not succeed in a traditional workplace. That does not mean we cannot try. I am excited for you to hear about the amazing work that sheltered workplaces do to cultivate new types of employment opportunities for this population.

Assemblyman Sprinkle:

When we look at the agencies that employ persons with intellectual disabilities, how is that quantity defined? If they were to employ one person, would they then get the preferential treatment? Must every employee meet those parameters? How is that decided?

Assemblywoman Benitez-Thompson:

Part of the intent of this bill is to allow the departments to collect information on who is being employed at what level, whether it is in a sheltered workplace or an integrated workplace, and the amounts of payment for those employees. We realized that we were not ready, as a state, to give preferences with these contracts. We do not know where we stand. We know we have some phenomenal sheltered employment workplaces doing really good work at integration. But we do not have a good sense of who is average and who is fantastic across the board. Part of this will allow us to get that data and get a better picture of what is happening in the state of Nevada. That is why you do not see this language get overly descriptive in percentages.

Assemblyman Araujo:

I am looking at the presentation ([Exhibit D](#)). There is a graph [page 3, ([Exhibit D](#))] that describes employment for persons with intellectual disabilities, and I noticed there was a slight drop in 2014 from 2013. I was wondering if you had any information as to why there was that drop.

Assemblywoman Benitez-Thompson:

Since this is from Ms. Manning's presentation, I do not want to answer for her. I will let her answer that when she comes up to testify.

Assemblyman Jones:

In this bill, there are certificates and preferences, and nothing on the fiscal note. How is this funded, and what is the practical result of this in the workforce?

Jane Gruner:

When awarding a certificate, we go through and make sure the business meets all the mandatory regulations. The business gets a certificate if they pass. There are requirements, such as fingerprinting and how the paperwork is set up. This is funded mainly by the State General Fund and Medicaid money. It is not that we are trying to get additional funds as much as rearranging how funds are spent. Putting this as a preference means we will be focusing heavily on changing policy. Our task force is working on how to change the funding in a system that has been the same way for 30 years. It is a difficult switch.

Assemblyman Jones:

If I were to have someone with an intellectual disability who wants to get a job, how would the process work?

Jane Gruner:

The Workforce Investment in Opportunity Act of 2014 that was just instituted has that process starting at the school level. Schools will be investing a lot of time in developing preferences for what people want to do and getting them experience in work and school. Vocational rehabilitation will be involved when the person is 14 to 16 years old. They help design that person's future by looking at what the person is interested in doing and finding what types of opportunities they can assist that person with. From there, vocational rehabilitation will help that person get training, identify the type of work they want to do, and help them learn the skills to get a job. Once that has happened, then regional centers pick up from there and follow after. Those regional centers would then be supporting the individual. Typically, it is not a lot of hours per week. If that person's job changes or they need help getting to work, those types of services will help them with that so the person can have a job.

Assemblywoman Benitez-Thompson:

Where Rhode Island got into conflict with the DOJ was when they had students with intellectual disabilities automatically defaulting to sheltered employment upon high school graduation. There was no effort made to see if they were capable of working in a typical workplace, nor any attempt to place them in a typical workplace. That is what we are trying to effect. We are trying to better assess peoples' capabilities, look at measureable skills, try to get them into the best paying job they can be in, and make sure we are attempting to employ them in a traditional workplace.

Regarding section 3 of the amendments ([Exhibit G](#)), you will see language regarding the Achieving a Better Life Experience (ABLE) Act of 2014. We will have people testify in support of the ABLE Act today, although we have

received notice from the Legislative Counsel Bureau Legal Division that the language may not end up in the final form of the bill due to issues of germaneness. That happens sometimes and we are okay with that, but we would still love to have the supporters of section 3 talk.

Vice Chair Titus:

I will open up testimony to those in favor of the bill.

Brian M. Patchett, President and Chief Executive Officer, Easter Seals Nevada:

I am also the chair of the Commission on Services for Persons with Disabilities. I have been on the task force that the Governor appointed for this issue, and also on the Developmental Disabilities Council among other things.

Easter Seals provides the services we are talking about here. We have seen incredible things go on over the past several years. As a person with a disability who at one point was recommended to work in a sheltered workshop, I understand this issue from both personal and professional standpoints. We provide services to about 110 individuals in our community training center here in Las Vegas. We work with them to get them into the community and working in the community. One of our top three goals as an agency this year is to get more individuals to be successfully employed in the community and to be in independent situations. We are successful with our employment services.

We support this bill and the move that we are making toward creating independent employment for persons with intellectual disabilities. The Commission on Services for Persons with Disabilities supports that goal, and that was where this bill originally came from. I want to thank Assemblywoman Benitez-Thompson for her help in the interim on this bill and the members of the Committee for hearing this today. I also want to say that I am in favor of the ABLE Act. I know there is some question about where it might end up. I hope we see it passed in some form, because it would be a tremendous benefit to persons with disabilities. I support this bill and appreciate everyone's hard work on this.

Shelley Hendren, Administrator, Rehabilitation Division, Department of Employment, Training and Rehabilitation:

I am here to testify in support of this bill on behalf of the programs I represent. The Bureau of Vocational Rehabilitation has programs statewide, including partnerships with Opportunity Village, High Sierra Industries, and Easter Seals to provide services and support to move our clients into competitive integrated employment. [Continued to read from ([Exhibit H](#))].

I support A.B. 5 with the new consensus language. I have not seen the language for the ABLE Act, but it helps individuals with disabilities to become self-sufficient and financially self-supporting.

Mark L. Olson, President and Chief Executive Officer, LTO Ventures, Henderson, Nevada:

I want to talk about two things in A.B. 5. I want to speak on my own behalf regarding the first portion of the bill. I am the chief executive officer and president of LTO Ventures, which is a nonprofit organization that creates jobs and housing for people with autism spectrum disorder. I am an advocate at the state and federal levels for the rights of people to choose where they live, work, and play. For full disclosure, I also chair the Adults and Aging Subcommittee for the Nevada Commission on Autism Spectrum Disorders, and I am an appointed member of the Governor's Taskforce on Integrated Employment. I am not speaking in either of those roles here today. As far as the amendment pertains to preferences for issuance of certificates of providers of jobs and day training services, I support that language. The original language was not the least restrictive, and I believe it would have adversely impacted Nevadans with intellectual disabilities (ID). I believe the bill, with the amendment introduced today, provides a broader range of jobs and day training services from which persons with ID and related conditions can exercise their right to choose their provider of preference. I support A.B. 5 as amended.

I am speaking on behalf of my daughter Lindsay regarding section 3 of the amendment. She is 19 years old and significantly disabled with autism, ID, and a prediabetic condition. I am her only parent and legal guardian. Her income is solely supplemental security income (SSI), which covers her room and board, and a few miscellaneous expenses. She is covered under my insurance until 2026. The passage of the ABLE Act created another important financial tool that we can use to accumulate assets that she can use for expenses related to her disabilities, especially as she ages, without jeopardizing her SSI or Medicaid assistance. We want to take advantage of these accounts in Nevada and keep our money in Nevada. The ABLE Act's enabling legislation has either passed, is active, or is being drafted in 44 states, including Nevada. We ask that the Committee move A.B. 5, or wherever the ABLE Act language lands, forward so that these accounts can become available in Nevada.

Santa Perez, President, People First of Nevada:

People First is a statewide advocacy organization for persons with developmental and intellectual disabilities. Assembly Bill 5 is a bill that is very important to those of us who have disabilities. [Continued to read from [\(Exhibit I\)](#).]

Assemblyman Araujo:

I wanted to acknowledge Ms. Perez. She is a resident of Assembly District 3. I have spoken to you a few times, and I am always touched by the level of passion and drive that you have, and that you are not afraid to call me when you have issues. Thank you for all that you do; our community needs you.

Sherry Manning, Executive Director, Nevada Governor's Council on Developmental Disabilities, Department of Health and Human Services:

I would like to start by answering the question about the employment graph [page 3, ([Exhibit D](#))] that Assemblyman Araujo had. His question was why employment for individuals with disabilities dropped in 2014. This is a good representation of what is happening in Nevada. We know that people without disabilities experienced very high unemployment rates prior to 2014. As you can see, employment rates for people without disabilities has dropped, and on top of that, you will see that there is a slight decrease in employment for individuals with disabilities. That speaks to what is happening now in the community.

In the 2009 legislative session, Senator Raggio asked, "Who is the Governor's Council on Developmental Disabilities and why are they coming forth and opposing money the Governor set aside to expand sheltered workshops?" At that time, we were not working together. He gave us the charge of going back, working together, and seeing what we could come up with. Since then, we have had the Employment Policy Summit of 2010 for which we brought the community together. We had everyone around that table, we had providers and people with disabilities, and that is what led us to the employment ad hoc committee that we had. In that committee, we came up with the Nevada Governor's Council on Developmental Disabilities position statement. That, in turn, led to the Governor's Executive Order 2014-16 establishing the Governor's Taskforce on Integrated Employment. In that executive order, we have all those players at the table.

What Assemblywoman Benitez-Thompson and Jane Gruner spoke about is that people working in those sheltered environments are starting to become employed. We have done it better in Nevada. You have heard that there are a lot of states that have worked toward Employment First. There was immediate Employment First legislation in some states that created unintended consequences. In our ad hoc committee's employment summit, and now in our task force, we are working around the table to see how we can work toward meeting integrated community employment. We are doing that as a team. This snapshot speaks to that. I would be surprised if that was not the reason for that drop.

We have made great strides. This bill is another great stride. As Mark Olson testified, the original verbiage was a little restrictive. We came up with good language as a team that will help move Nevada toward integrated competitive employment. The task force has been charged with coming up with three-, five-, and ten-year plans that will work together, using A.B. 5 to accomplish what Nevada must do to help individuals with disabilities better their lives. The Nevada Governor's Council on Developmental Disabilities is in support of the new language in A.B. 5.

Diana Rovetti, President, Down Syndrome Network of Northern Nevada:

I support the language in the bill that will pay people with disabilities minimum wage. I am encouraged that everyone is working together. I think that is important and says a lot about our state. I am here to talk to you about the ABLE Act. I have five children—four daughters and one son. His name is Jack. For the past 16 years, every member of my family has been working tirelessly to get Jack to his full potential. Members of my community and schools have been helping get Jack to a place where he can hopefully work in the community. I was sad when he was born, and to be honest, I cried every day for eight months because I did not know what to do. I wanted to make sure he had a bright future. On Jack's first birthday, I had to tell my mom to not send a savings bond for Jack, because that was what other parents told me. They told me I should not save for my child. Every year, my mom would send my daughters a savings bond for their birthday, but for Jack's birthday there was no savings bond because he could not have one and also get Medicaid or help when he got older.

He will be 17 years old this year. We have gone as far as buying a franchise. My husband is a chiropractor, I work at a university, and we want him to have a good future and see him working in the community. We bought a franchise called Doc Popcorn, and we have been training him there. We hope to have a full-time business in the community for him when he graduates from high school. We hope that he can save money, and we can save the money necessary for him to have a bright future. I advocated for the ABLE Act to be passed on the federal level, and I am advocating today for the ABLE Act language in this bill or in another bill. It is important for our families, and we want to be able to have a bright future. Jack wants to be a contributing part of the community, and we think all of our kids should be too.

Assemblyman Jones:

I still do not understand how this program will work. Are there any affirmative obligations being placed on private business with this ABLE Act?

Sherry Manning:

Aging and Disability Services Division (ADSD) and Vocational Rehabilitation would be working on that.

Jane Gruner:

There is no mandate on private business. It gives them the opportunity. We have a great number of people who are excellent employees. We will help them develop their job skills and opportunities with the help of our providers so that they are ready to go into employment with private businesses.

Ed Guthrie, Chief Executive Officer, Opportunity Village, Las Vegas, Nevada:

Opportunity Village is a community training center that provides employment training and assessment services for youth and adults with intellectual and developmental disabilities. [Continued to read from ([Exhibit J](#)).]

Opportunity Village believes that disability is a natural part of life. People are either born with disabilities or acquire disabilities as they age. It happens to all of us. We want to work with people with disabilities so they can get the chance to do what a lot of us take for granted—the chance to live, work, and play in their community. That is the goal of Opportunity Village in a nutshell. We support this language in the amendment. As Shelley Hendren talked about earlier, we have worked with the folks at DETR and ADSD to put together model programs at Boulder Station Casino and at Valley Hospital so we can provide transitional services. Long before that, we worked with the Clark County School District to develop what we call the Job Discovery Program. In that program, 80 to 120 youths with intellectual and developmental disabilities go through school-to-work transition programs every year. The problem is, there are a lot more than 80 to 120 kids from Las Vegas who need those types of services. We will have to expand.

We feel strongly that the amended language does what we need it to do. But we do have some concerns. Assemblyman Jones asked what the cost of all this is. Providers in Nevada provide these services if the *Executive Budget* passes in its current form. Providers will have a 5.85 percent increase, if I remember correctly. That will be the first increase in 12 years. That will average less than one half of one percent for the last 12 years. Whatever services were being provided then are much more difficult to provide now. Opportunity Village has been able to grow because we do not depend on government money. Twenty percent of the revenue that comes in to Opportunity Village is fee-for-service revenue from the state of Nevada. The other 80 percent comes from other sources—contract revenue, fundraising, and events like our Magical Forest. Vice Chair Titus, as someone who worked in the health care industry, I believe you are aware that if you freeze the rates,

the providers do not take individuals. That is part of what we will have to address over the long term in order for this to be successful. If there is not an increase in rates, you can pass all the laws and regulations you want, but there will not be providers there to provide service.

We also want to be very aware that we must maintain choices for everyone. Opportunity Village does pay some individuals 50 cents an hour. In fact, we pay everyone who comes to Opportunity Village at least 50 cents an hour. There is a person who works for us named Dennis. Dennis used to be the head of the stagehands' union. He used to set up all the lighting and effects in our annual Magical Forest. Five years ago, Dennis had a motorcycle accident and went headfirst into the side of a car. He cannot feed or toilet himself and he cannot move himself without staff moving him. We pay Dennis 50 cents an hour for every day he comes to Opportunity Village, because we think it is important that Dennis has the sense of pride and purpose that comes from earning a paycheck. We cannot afford to pay Dennis more. We are really good at fundraising, but we are not that good. We want you to know that we are in the spirit of getting everyone we can into jobs in the community. We think that is the best place for most people to be working, but there are some people who are not going to be able to be there. There are the Dennises of the world, among others. We do not have the capacity to do that. We need a place for Dennis too. By the way, Dennis is not paid by the state of Nevada; Dennis is paid by private donations.

Assemblyman Jones:

I really appreciate Opportunity Village. I like that you are privately funded. I have donated for the Santa Run a few times. On a practical note, how would this bill affect Opportunity Village? In a day-to-day practical sense, how does this translate into your operations?

Ed Guthrie:

That will be worked out in regulation. There will be a lot of changes in the next few years. Someone mentioned the Workforce Innovation and Opportunity Act. That will cause changes in the system, providing vocational rehabilitation and long-term support services for individuals with disabilities. They talked about change in the home- and community-based services waiver. That will provide changes. I cannot answer you right now because there are so many moving parts. I am still trying to figure out how it will affect Opportunity Village. The Americans with Disabilities Act says that everyone who, with reasonable accommodations, can be provided employment in the community should have the option of employment in the community. We believe in that 100 percent.

Assemblyman Jones:

From a practical perspective, do we not know how this bill will translate into the real world?

Ed Guthrie:

I think we are trying to set a direction. We wholeheartedly believe that everyone who can find a job with reasonable accommodations in the community should have that opportunity. There are other people who cannot. There are people who choose other alternatives. One of the things we must be aware of is that 65 percent of the people with intellectual and developmental disabilities, adults age 21 and up, live with family. You must take the entire family into account, not just the individual with disabilities. If you do not take the rest of that family into account, then the state may be paying for residential support services for that individual, which is much more expensive than the services that are provided by Opportunity Village or other providers.

Private employers need to be encouraged. Someone brought up the Governor's employment initiative, the first executive order he gave encouraging state agencies to hire individuals with disabilities. He set a goal of 7 percent. We are nowhere near that goal. Less than 1 percent of employees now in state agencies are individuals with disabilities. At the federal level, President Obama set a goal two years before the Governor set his goal. The percentage of individuals with disabilities working at the federal level is 1.32 percent. That goal is also 7 percent. Government is trying to be the model employer, which I encourage, as it has been a model in the past in employing ethnic minorities, different races, or genders, but it has not led the way in this area yet.

Marcia O'Malley, Private Citizen, Reno, Nevada:

My son is with me today, Ian Zehner. He is very shy and has asked me to speak on his behalf. I will speak about myself and then read some notes that he generated this morning that he wanted to share with you that are in favor of this bill.

I am a small business owner in Reno. I also sit on the National Board of Family Voices. That is an organization that works on behalf of children and youth with special health care needs. We are always putting families at the front on health care. For full disclosure, I also sit on the Grants Management Advisory Committee here in the state of Nevada. I am here as a parent. This bill is incredibly important for people with disabilities and very important for our family. My son is giving a thumbs-up. We had the good fortune of traveling to Washington, D.C., to support the ABLE Act in Congress. Because of our meeting with Representative Amodei, he signed on to the bill that day. I feel that when my son's voice is heard, it is strong and powerful, as much as mine

can be. He is the individual who will be living the rest of his life with a disability, and I am not. Ian is a dynamic guy and is looking forward to a dynamite life. The employment piece of A.B. 5 is really critical. But without a way for these individuals who earn more money to be able to do something with that money like save it and not have it affect their services, it does not make any sense. The ABLE Act in particular is really critical in partnership with the employment piece of the bill.

I will now read Ian's letter to you all. "I am Ian Zehner and I have Down syndrome. I am 17 years old, and I am a junior at McQueen High School in Reno. Assembly Bill 5 is important to me because it can help people with disabilities go to college, have a better life and feel good." [Continued to read from ([Exhibit K](#)).]

Vice Chair Titus:

Thank you for that letter, Ian. It is important that we hear from you, and you did a great job.

Assemblywoman Joiner:

I was also a Lancer at McQueen High School, Ian, and I am so happy to see you here today.

Ian Zehner, Private Citizen, Reno, Nevada:

I did not know you were a Lancer. Can you tell me about the teachers you had?

Assemblywoman Joiner:

I believe your current principal, Ms. Denning, was my English teacher my freshman year. She was one of my favorite teachers. It was 20 years ago. We will have to talk afterwards.

Assemblywoman Dickman:

I wanted to thank you, Ian, and tell you that I share some of your dreams. I would like to be a video game tester myself, and a billionaire.

Ian Zehner:

I feel strongly about that, because at first, I did not know what job I wanted myself. I followed my heart and myself, and I wanted to become a video game tester and designer because I have more experience in video games. I know how they work. I would say that it takes a lot of guts to do that. I know people would say it is risky to want to become a billionaire.

Mary Liveratti, representing Nevada Commission on Autism Spectrum Disorders:

We support A.B. 5 with the amendments.

Vice Chair Titus:

Is there anyone else in the audience in favor of A.B. 5? [There was no one.] Is there anyone opposed? [There was no one.] Is there anyone who is neutral? [There was no one.] Assemblywoman Benitez-Thompson, would you like to make some closing remarks?

Assemblywoman Benitez-Thompson:

I know there have been many different types of questions in this hearing, and I appreciate Assemblyman Jones' questions. As we have these conversations, there will be a lot of discussion about what it means to fully appreciate what people are able to do and how we employ them, versus just assuming that they are a disability and nothing more and do not have any options. That is the intent of this bill. We can speak more about how the different process flows would work. One thing in this bill is that we did not get too prescriptive. I believe that would be too onerous. With this language, we could enumerate things: businesses, sheltered workplaces, or anyone who wants to participate would have to do. I believe this type of statement is better. It says that we have to move toward measureable skill progression, and that DETR and Vocational Rehabilitation have to be part of the conversation about how we work with these programs to assess what folks are capable of doing, and then try to find the best fit for them.

In the presentation on NELIS [page 11, ([Exhibit D](#))], you can see some great examples. There are two examples in here—Stacy who went to work at Starbucks and Glenn who worked at Arrow Electronics—that happened because their abilities were assessed and there was a good fit for their abilities. I want to echo what Mr. Guthrie said, that this is really a priority to members of the Legislature. If we are sincere in our commitment to helping this community, we have to put money where our mouths are. We cannot expect good, hardworking people like Ed Guthrie and the other certificate and sheltered programs to do what we require them to do but not give them help or funding to do it. That is not fair. I echo the statements that we need to be supportive, as a state, in taking care of all our citizens, especially those like Ian Zehner.

Vice Chair Titus:

Are there any final questions? [There were none.] I will close the hearing on A.B. 5 and open the hearing on Assembly Bill 307.

Assembly Bill 307: Revises provisions relating to services for children with intellectual disabilities and children with related conditions. (BDR 39-803)

Assemblywoman Ellen B. Spiegel, Assembly District No. 20:

As I was participating in the earlier hearings, I was a little disappointed that I was going last. But then as I was listening to the testimony, particularly Ian Zehner's, I could not help but think how important the hopes and dreams of every Nevadan and of every parent for their children really are. That is some of what we are talking about with this bill.

Currently, there are many children in Nevada who are not able to receive the type of services they need, and we are sending them out of state for treatment. Most notably, as I will talk about today, those children are children with both intellectual disabilities and behavioral issues. Before the economic downturn, we did have facilities and programs in the state where these children could get the help they needed. But as our economy got worse and we were unable to pay providers what they needed to be paid, the providers all left the state. Now, we are sending these children out of state. There are a number of children who have been sent to Texas for treatment. They are receiving good treatment, but when they come back from Texas, there is nowhere for them to have the skills they learned reinforced. We also do not have a place to send children in state where they can get the help they need to see if they might not need to go out of state. Going out of state poses a number of difficulties for these children and their families. They do not get to visit each other nearly enough. It can be very difficult for siblings to have one be out of state for extended periods of time. They lose out on growing up together. It definitely has an impact.

I am bringing this bill forward because we would like to see if we can start piecing services in the state back together, so that we are not sending kids out of state. It is better for families, and it is also very expensive to send their kids away. I think what we could do is try to piece together services between Medicaid, the state, and the counties to put together the kinds of services they need. This is enabling legislation to create a pilot program that would do just that. Section 1 clarifies the type of support that must be provided to make this work. Section 2 gives some parameters for the pilot program. They do not all need to be incorporated, and it is not the legislative intent for the Legislature to design the program. What we are doing is giving parameters so the program can be developed.

Section 3 is a really important part of this bill. It puts in reporting requirements. Because it is a pilot program and we are trying to see if we can establish something that will work going forward, I put in two sets of reporting. One is

back to this Committee, and the other is to the Interim Health Care Committee every six months so that we know how this is going, what is working, and what is not working, so that we can see what we need to change in order to perhaps develop a permanent program and make it effective both for the children and in terms of cost. There is also reporting because, currently, each of the counties is supposed to be helping financially to provide for these children. We want to know what everyone is doing. When they report back to us, we can have a little more oversight. The last thing I want to mention is that because this is a pilot program, it sunsets in four years. That will give us enough time to have the program created and have some results come back so we can make an assessment of what the right policies will be going forward.

Assemblyman Jones:

I really like the intention of this bill. I would like to keep families together. It seems like sending a child with emotional disabilities away from his family would be one of the most traumatic things to do. I like that you want to monitor this to see its effectiveness. I saw that the fiscal note is zero, and there is nothing stated about funding in here. How will this be funded? What amount are we looking at? The devil is in the details because we have this great intent, but we need to know how it will be run and where that money will come from.

Assemblywoman Spiegel:

In section 2 of the bill, it clearly says that the program will be established "To the extent that money is available for the purpose." Right now, we are spending money from different pockets. This bill would allow some of the money already being spent to be spent differently. We are looking at piecing it together from existing monies and not requiring additional revenues.

Assemblyman Sprinkle:

I am also completely supportive of the intent of this bill. We see time and again, especially with children who have greater needs, that they are ultimately sent to facilities outside the state. My concern is that the reason they are being sent to those facilities is because we do not have those services here. What in this bill will increase the types of services that are necessary so that we can keep these kids in the state? In section 2, subsection 2, it talks about respite or care for the primary caregiver and preventive services that allow such children to remain in their homes. Those are very lofty goals, which I applaud, but I am not sure how we will accomplish that.

Assemblywoman Spiegel:

The list of services in the bill has a friendly amendment ([Exhibit L](#)) from the Aging and Disability Services Division (ADSD). It includes services that may be

included in the pilot program, but they are not required to be included in the pilot program. Some of what happens now is when children are sent out of state to these other institutions and facilities, Medicaid is providing money for their support. Part of our challenge is that when we bring the children back to Nevada, Medicaid is not able to pay for their food and lodging. By definition, that makes them a higher burden for the rest of the community that has to pick up the services. By piecing together services from different divisions with Medicaid, counties, and ADSD paying what they can pay for, the idea is that we can piece something together that can meet the needs of the children and do it in a cost-effective way that is less expensive than what we are currently spending with the out-of-state care costs.

Assemblyman Sprinkle:

I would like to stay away from the financial part of this bill. What I am trying to get at is in the amendment ([Exhibit L](#)). It talks about education and here, that must include things such as case coordination and habilitation services. I do not want to feed you answers, but these are things I was hoping you could expand upon a little. I think they might be valuable components that are maybe not doing well enough currently, and improving them would get us to a place where these kids can stay in state. Can you elaborate on that?

Assemblywoman Spiegel:

I am not a professional on this topic, and this is enabling legislation. This list includes everything that we would like to see in this program, but it is not an absolute requirement. If the program cannot be established in a way that meets the needs of the children and families and the cost component, then the program would not continue. This is enabling in saying that if the program can meet these criteria, then we can move forward. Things such as habilitation services and support for children who receive services through supportive living arrangements are elements that we would like to see. For many people, those would be necessary components to have the kinds of outcomes we would like to see. I do not have the background or expertise to dictate how programs should be.

Vice Chair Titus:

I see that the bill talks about counties that have a population of more than 100,000 being the counties in question. Then it talks about counties with a population of less than 100,000 doing a report. Could you tie those two together for me? What are the rural counties expected to do? Are they not doing the pilot program and you are just asking the larger counties to do it? You still want a report from the smaller counties. I am also curious how many children we send out of state currently.

Assemblywoman Spiegel:

In *Nevada Revised Statutes* (NRS) 435.010, it specifies that county commissioners are to make provisions for the support, education, and care of children with intellectual disabilities for each county. Right now, my understanding is that our rural counties really do not have enough money to be able to provide all the services they would like to. Rather than trying to make anything too onerous, even if they would like to participate, we did not think it was feasible at the present time. That is why we limited the pilot program to larger counties. We want to know what is going on in the rural counties so that we can see what is being done, but we also do not want to make anything too onerous.

In 2014, there were 13 children who were sent out of state to Texas, Utah, and Florida. The year before, there were about 23 children. There is a very high recidivism rate. About a third of children who come back from these programs then need to return to the out-of-state facility because their needs are not being met in state.

Assemblyman Oscarson:

I will let Vice Chair Titus finish the meeting, since she is so far in. Assemblywoman Spiegel, I heard you say that the rural counties do not have enough money to do the services they would like to. I would submit to you that no county in the state has enough money to do the services they would like to. I appreciate your bringing up these services and programs.

Bobbie Gang, Private Citizen, Incline Village:

I am here as the grandmother of a 15-year-old boy with autism. His name is Jacob, and he is currently living in a residential treatment center in Austin, Texas. My daughter is in Las Vegas, and she will speak about the difficulties she struggled with to get treatment in Nevada for Jacob through personal funding, private health insurance, and Medicaid, and why he is now out of state in a treatment center. Assembly Bill 307 is important for children like my grandson who exhibit aggressive behavior due to their autism. [Continued to read from ([Exhibit M](#)).]

I see that Assemblyman Sprinkle left, but I would like to answer his question. I believe there are professionals in the community, perhaps not in the smaller communities, but in the two larger counties, where these children can receive these services. One of the problems is that the services are not provided to children in their own homes and definitely not when they are in group homes. The group homes do not have the resources to access these services or take these children to the services so they can get their therapies. You heard that section 3 of the bill provides for evaluation of the program. If the program is

proven successful, we will send fewer children out of state and save money over time. As far as I have been able to find out, the estimated cost to send a child out of state is \$15,000 a month. Our vision for the pilot program is that staff in the group home should be better trained to understand and work with the children. The staff could also be better paid. Professional treatment would be available to these children, either in home or at a remote location, and transportation would be provided. [Continued to read from page 2, ([Exhibit M](#)).]

Karen Schnog, Private Citizen, Las Vegas, Nevada:

I am in favor of this bill. I am the mother of Jacob Schnog, a 15-year-old autistic boy who is filled with joy and love and has extreme episodes of aggression and outbursts. I am a single mom of two children and also a state employee. I am here to tell you Jacob's story, but I would like you to keep in mind that I know this story is similar to that of several kids from Nevada, and not all of them have the support of their families. They are even less successful in this system. From my perspective, the pilot program can provide coordination and consistency that is not currently provided in the program. Even if a family has multiple resources, they are not the same across resources. They are not coordinated and not consistent, particularly in the case of behavioral programs. The system then fails.

Jacob was one of those kids that fell through the cracks. He was diagnosed with "other developmental delay" and was not diagnosed with autism until he was ten years old. He was in 15 different therapies at one point, which were provided by the school, the state, and privately funded. He was in occupational therapy, speech therapy, and physical therapy. Unfortunately, we did not realize and were not able to fund behavioral therapy. He did not receive behavioral therapy until he was 11 years old. That therapy was too little, too late. I was working a full-time job trying to get him to these therapies, and more importantly, coordinating between the different programs. There was one program that was eight hours of behavioral therapy a week, then we had in-home support. At one time, we had broad spectrum therapy and psychosocial rehabilitation support that was paid for by our regional health center. I tried to get them to use the same program as behavioral support, but what I found was once I got someone trained in the behavioral program, they would leave to go to a better supported program to make more money. It was really challenging to get them to work together and get his behavioral program consistent across two houses, the school which had its own behavioral program, and then the various in-home programs. It was virtually impossible.

Jacob grew and is now 5 inches taller than me and 60 pounds heavier. My daughter is 12 years old. Jacob started to become a danger to himself, me, and our family. As he got worse, it was a rollercoaster. We would have several

days where the behavioral programs were working, but then something would go amiss and he would have extreme outbursts, including running through a wall, hitting things, throwing chairs, or hitting himself. He had to move into a group home. The promise of the group home was that he would have consistency across environments and that he would have a behavioral program that would be implemented and coordinated. After going through two group homes and three different schools, we finally found a teacher who was successful with Jacob, so he started improving in school. The teacher tried to coordinate with the group home, but that was considered not part of their program. They were not allowed to incorporate it, or did not believe in coordinating with the school. He had two separate programs going on, and there was no consistency even in the group home. Although he was succeeding in school, he was regressing in the group home to the point where his toileting, self-care, and social behavior deteriorated. He became more antisocial, and his aggression increased in the group home. Even though the teacher and I reached out to the group home and different services, we found that he would have to go out of state to get the consistency that he needed.

Ultimately because of this, there was no choice but to send him out of state to a program in Texas which is very restrictive and has consistency 24/7 because all the staff are trained on the same program and the school is there on campus. [Continued reading from ([Exhibit N](#)).]

Brian M. Patchett, President and Chief Executive Officer, Easter Seals Nevada:

We are in favor of this bill, and think that the information that will be gathered per this bill will help us and group home providers to look at ways we can be creative in providing these services better.

Mark L. Olson, President and Chief Executive Officer, LTO Ventures, Henderson, Nevada:

I support A.B. 307 with a couple of concerns. I want to be sure that the setting, workforce, and other supports for this are affirmatively in place before kids and adults are returned to the state or are forced to accept in-state placements over quality out-of-state placements. There are many states making efforts to try and bring people who have been placed out of state back in state. The biggest issue is that the services and support system exist in their own state. I think this is a great opportunity for us as a small state to move faster and smarter to address this issue and potentially become a national leader in this area. I support A.B. 307 as a way to explore how we can achieve that.

Vice Chair Titus:

Is there any public comment in Las Vegas before we lose the video feed? [There was none.] We will return to Carson City to hear those in favor of A.B. 307.

Kevin Schiller, Interim Director, Department of Social Services, Washoe County:

We have worked with Jane Gruner to make some amendments ([Exhibit L](#)) that address the concerns in this bill. I wanted to highlight a few things about this population and address comments about services. One of the key things is that many of the kids in this population, which does not have a large number going out of state, enter the system through a couple of different doors. Sometimes, that system can be the child welfare system by default, or the juvenile justice system because they are struggling with behavioral concerns. Many times parents are out of resources but still trying to access resources. There is a gap that exists in service delivery between mandated child protective services and parents trying to find resources.

From a financial perspective, something important is that as we narrow the scope, we do not shoot from the hip. In these cases when we have a child who demonstrates these behaviors and has dual diagnoses, because of the gap, we end up working together on the individual case to scrape together all of our resources. To give you a sense of what that means, one child who would meet the criteria established in the bill could incorporate a worker's entire workweek in coordination, case planning, and case management. If they are out of state and coming back, or we are trying to prevent the out-of-state placement, we want to align these resources with the existing pilot. Since we are trying to narrow the scope of the county and state money, we need to formalize our relationships. The state has access to some funding that we do not have access to, and we are also utilizing our block grant and other dollars in social services. The bill is trying to reinvest those dollars and align them for this population. We support the bill with this amendment because it narrows the scope. We currently pay a county assessment to the tune of about \$1 million per year, based on NRS 435.010. We are serving those kids, as is Sierra Regional Center. This would allow us to continue to work on increasing those services to address that gap.

Jane Gruner:

Another thing this bill does for us is it develops the expertise in our state so that when kids are going through the treatment, we will be able to generalize and their families will be able to learn the same skills so that they can generalize at home. Children will be able to move through the system and then return home, which is not always what happens today. Often, a child will come back into the system, and often because they are not about to generalize those skills, they

end up in long-term group care. We would like to avoid that. I am not sure it will save money, but it will reinvest the money we are spending right now that goes toward those out-of-state services.

Lisa Foster, representing State of Nevada Association of Providers:

My association is a group of organizations that provide residential and support services, or jobs and day treatment services. The Association would like to see people with cognitive disabilities or other related disabilities have the option of remaining in this state if at all possible. It would also like to see them receive treatment here. The State of Nevada Association of Providers believes that establishing this pilot program would be very beneficial to both the individuals who are being served and their families who would like to stay with them. We encourage your support.

Dan Musgrove, Vice Chair, Clark County Children's Mental Health Consortium:

My organization is very supportive of this bill. We appreciate the amendment ([Exhibit L](#)). Some of the definitions were of concern for us. The language "services for children who are dual-diagnosed with behavioral health needs and intellectual disabilities and children with related conditions" was added. It is very important to capture that population. We were also happy to see mention of the wraparound services. You talk about a pilot program that "provides intensive care coordination of a comprehensive array of services." We want to make sure that if that language gets into statute, it captures what we want to see happen for our kids. We appreciate the sponsor and those who already testified. It is important to get these kids back in Nevada and work on providing the services in our state. I would like to ask Ms. Lang to reexamine the bill because I think there are some spots that we missed.

Marlene Lockard, representing Nevada Women's Lobby:

We support this legislation for all the reasons expressed this afternoon in firsthand testimony and by experts in the field who recognize the need for this service.

Jeff Fontaine, Executive Director, Nevada Association of Counties:

We support this legislation as well. All the counties in Nevada participate in the cost of providing services under NRS 435.010. They do that through assessment to the state. We understand and support the concepts here. We do have a little concern with some of the language in section 1, which expands the services that the counties must provide under this program. We understand that the language is needed to conform with what is being contemplated under the pilot program, but we want to make sure that it does not require the counties that are not participating in the pilot program to also provide those services. We will work with the sponsor and others on that.

We support the leveraging of existing resources to provide and coordinate services for the kids in our state.

Mary Liveratti, representing Nevada Commission on Autism Spectrum Disorders:

The Commission strongly supports this legislation and we would like to say that we worked with ADSD on this amendment.

Vice Chair Titus:

Is there any more testimony in favor? [There was none.] Is there testimony in opposition? [There was none.] Is there anyone who is neutral? [There was no one.] I will close the hearing on A.B. 307. Is anyone here for public comment? [There was no one.] The meeting is adjourned [at 3:15 p.m.].

RESPECTFULLY SUBMITTED:

Nancy Weyhe
Recording Secretary

Erin Barlow
Transcribing Secretary

APPROVED BY:

Assemblyman James Oscarson, Chair

DATE: _____

<u>EXHIBITS</u>			
Committee Name: <u>Committee on Health and Human Services</u>			
Date: <u>March 30, 2015</u>		Time of Meeting: <u>1:04 p.m.</u>	
Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
A.B. 164	C	Kirsten Coulombe / Committee Policy Analyst	Work Session Document
A.B. 5	D	Assemblywoman Teresa Benitez-Thompson	PowerPoint Presentation
A.B. 5	E	Assemblywoman Teresa Benitez-Thompson	Position Statement from the Nevada Governor's Council on Developmental Disabilities
A.B. 5	F	Assemblywoman Teresa Benitez-Thompson	Executive Order 2013-10
A.B. 5	G	Assemblywoman Teresa Benitez-Thompson	Proposed Amendment
A.B. 5	H	Shelley Hendren / Department of Employment, Training and Rehabilitation	Written Testimony
A.B. 5	I	Santa Perez / People First of Nevada	Written Testimony
A.B. 5	J	Ed Guthrie / Opportunity Village	Written Testimony
A.B. 5	K	Marcia O'Malley/ Private Citizen	Letter and Written Testimony of Ian Zehner
A.B. 307	L	Assemblywoman Ellen B. Spiegel	Proposed Amendment
A.B. 307	M	Bobbie Gang / Private Citizen	Written Testimony
A.B. 307	N	Karen Schnog / Private Citizen	Written Testimony