

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

**Seventy-Eighth Session
April 22, 2015**

The Senate Committee on Health and Human Services was called to order by Chair Joe P. Hardy at 3:31 p.m. on Wednesday, April 22, 2015, 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 Joe P. Hardy, Chair
Senator Mark A. Lipparelli
Senator Joyce Woodhouse
Senator Pat Spearman

COMMITTEE MEMBERS ABSENT:

Senator Ben Kieckhefer, Vice Chair (Excused)

GUEST LEGISLATORS PRESENT:

Assemblywoman Irene Bustamante Adams, Assembly District No. 42

STAFF MEMBERS PRESENT:

Marsheilah Lyons, Policy Analyst
Carol Stonefield, Policy Analyst
Eric Robbins, Counsel
Ellen Walls, Committee Secretary

OTHERS PRESENT:

Elizabeth Aiello, Deputy Administrator, Division of Health Care Financing and
Policy, Department of Health and Human Services
Jeffrey Fontaine, Nevada Association of Counties
Bill Welch, Nevada Hospital Association

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Ken Retterath, Social Services, Washoe County
Denise Stewart

Chair Hardy:

We will open the hearing on Assembly Bill (A.B.) 41.

ASSEMBLY BILL 41: Revises provisions relating to funding for indigent care.
(BDR 38-327)

Elizabeth Aiello (Deputy Administrator, Division of Health Care Financing and Policy, Department of Health and Human Services):

I support A.B. 41. This bill revises provisions relating to the Fund for Hospital Care to Indigent Persons and clarifies *Nevada Revised Statutes* (NRS) language and intent. It gives the Board of Trustees of the Fund for Hospital Care to Indigent Persons discretion as to the entities with which it may enter into an agreement; removes language that allows the hospitals to be assessed to pay for indigent care, allowing the Division of Health Care Financing and Policy to use the indigent accident funds as the nonfederal share for supplemental payments; and allows the funds to balance forward and be used for indigent care or as the nonfederal share for Medicaid supplemental payments or enhanced rates. Assembly Bill 41 also deletes obsolete language.

Jeffrey Fontaine (Nevada Association of Counties):

The Nevada Association of Counties supports A.B. 41. This bill fine tunes the current State statutes as well as S.B. No. 452 of the 77th Session, which allows the Fund for Hospital Care to Indigent Persons to be used for different purposes and provides for matching of additional federal Medicaid dollars. The matching of additional Medicaid dollars occurred last year and was successful in allowing counties to access a portion of funds to offset the counties' costs for the Medicaid match program for long-term care.

Bill Welch (Nevada Hospital Association):

The Nevada Hospital Association supports A.B. 41.

Ken Retterath (Social Services, Washoe County):

Washoe County Social Services supports A.B. 41.

Chair Hardy:

The hearing on A.B. 41 is closed. We will open the hearing on A.B. 424.

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

Carol Stonefield (Policy Analyst):

I was the policy analyst for the sunset subcommittee during 2014. Assembly Bill 424 is a product of the Sunset Subcommittee of the Legislative Commission, which is a permanent statutory subcommittee. This subcommittee was created in 2011 for the purpose of reviewing all the boards, committees, commissions, counsels, panels and other groups the Legislature has created over the years. One of the committees reviewed was the Committee for the Statewide Alert System for the Safe Return of Abducted Children. Once the review has occurred, the Sunset Subcommittee can recommend continuation, modification, consolidation with another entity or termination of the board, committee, panel or commission. The members of the Sunset Subcommittee voted unanimously to continue the Alert System Committee.

Assemblywoman Irene Bustamante Adams (Assembly District No. 42):

Senator Spearman was the vice chair and I was the chair of the Sunset Subcommittee in 2014. I wish to thank Senator Spearman for her efforts. The Committee for the Statewide Alert System for the Safe Return of Abducted Children, also referred to as the AMBER Alert committee, was created in 2003 for the purpose of overseeing the Statewide Alert System for the Safe Return of Abducted Children. The members are volunteers and come from State and local law enforcement agencies; the Nevada Broadcasters Association; the Nevada Department of Transportation; representatives of the Children's Advocate who are appointed by the Attorney General; and one member of the public. The AMBER Alert committee provides training and also monitors and evaluates the activation of the alert system.

Recommended changes occur in sections 2 and 3 of A.B. 424. We recommend the creation of the Account for the Statewide Alert System for the Safe Return of Abducted Children in the State General Fund, which is to be administered by the Committee for the Statewide Alert System for the Safe Return of Abducted Children.

Section 4 of A.B. 424 permits members of the Committee for the Statewide Alert System who do not work for a governmental agency to be allowed to receive reimbursements for expenses incurred while engaged in the business of the Alert System Committee.

Section 6 of A.B. 424 authorizes the Committee for the Statewide Alert System to apply for gifts, grants and donations. This bill does not ask for an appropriation and has no fiscal note.

This alert system is very viable in Nevada. With the noted recommendations of A.B. 424, it becomes an improved system.

Senator Lipparelli:

Does the language of this bill allow for deposits to be made to the proposed account outside of State funding?

Assemblywoman Bustamante Adams:

Yes, that is correct. Currently, it is not an option. The language to apply for and accept grants and gifts is contained within section 6 of the bill.

Ms. Stonefield:

The funds are handled by the Department of Public Safety (DPS), which acts as the fiscal agency. The Committee for the Statewide Alert System does not have control over its own funds. The Sunset Subcommittee received testimony which suggested the Committee for the Statewide Alert System would be more viable when applying for grants if it was in control of its own funds. This bill requests an account in which to deposit funds and is not asking for any monetary appropriation of State funds.

Chair Hardy:

Who has oversight for the proposed account and funds?

Ms. Stonefield:

The fiscal agent will most likely be the Children's Advocate within the Attorney General's Office, even though the money is in a gift account within the DPS.

Denise Stewart:

I am a member of the AMBER Alert committee and I am a public safety dispatcher manager for the DPS in the Carson and Elko centers. If the AMBER Alert committee had additional funding, it could be able provide valuable training for outlying agencies within our State on how to activate an AMBER Alert. We do not have this ability. At times the alert is delayed due to inadequate training. I support A.B. 424.

Chair Hardy:

The hearing on A.B. 424 is closed. I will open the hearing on A.B. 456.

ASSEMBLY BILL 456: Abolishes certain committees, boards, funds and panels.
(BDR 38-551)

Assemblywoman Irene Bustamante Adams (Assembly District No. 42):

Assembly Bill 456 contains recommendations from the Sunset Subcommittee of the Legislative Commission. It repeals or transfers some of the State entities that the Subcommittee reviewed in the last interim session.

The Sunset Subcommittee looked at inactive boards and commissions within our State. This bill contains the recommendations concerning entities the Subcommittee recommended to repeal.

Nevada Revised Statutes 233A.101 through 233A.107 concern the Advisory Committee Concerning Children's Health Insurance Program. This program was established in 1999 at the Legislature's request to encourage enrollment of Native-American children in the Nevada Check Up program. This committee intended to advise the Nevada Indian Commission, which in turn advised the Division of Health Care Financing and Policy of its concerns. The executive director of the Indian Commission, Sherry Rupert, testified to the Sunset Subcommittee that the Advisory Committee of the Children's Health Insurance Program has been inactive since 2003. Inactivity was due to improved communication between the Indian tribes and the Division of Health and Human Services. Ms. Rupert suggested that the Advisory Committee Concerning the Children's Health Insurance Program had served its purpose and could be terminated.

The board of trustees of the Fund for the Institutional Care of the Medically Indigent was created in 1997 and is cited within NRS 428.410 through 428.490. Its purpose is to realign the responsibility for the Medicaid match for long-term indigent care from the local governments to the State. The board consisted of five county commissioners nominated by the Nevada Association of Counties who were appointed by the Governor. The fund was established to provide a revenue pool to assist counties with their portion of the long-term care costs. It received appropriations from the State General Fund for several years.

In 2003, the State began to pay for the long-term care costs and the fund became inactive. Currently, the board has no members.

Sections 3 and 4 of A.B. 456 provide for any necessary transition relating to the fund and the board. Any money in the fund will revert to the State General Fund. Any regulations adopted by the board of trustees become void.

The Rural Advisory Board to Expedite Proceedings for the Placement of Children, within the Division of Child and Family Services (DCFS) was established in 1999. Its purpose was to review adoption in rural areas and move children out of foster care as soon as possible. The board members were to come from local advisory boards established by district courts. None of the local advisory boards appear to be active. The DCFS confirmed this was true. We have no record the Rural Advisory Board to Expedite Proceedings for the Placement of Children has ever met.

Sections 1 and 2 of the bill make language changes to remove references to the Rural Advisory Board to Expedite Proceedings for the Placement of Children.

Nevada Revised Statute 540.111 was to create the Advisory Board on Water Resources Planning and Development to advise and make recommendations concerning policies for water planning to the Water Planning Section of the Division of Water Resources (DWR) of the State Department of Conservation and Natural Resources (DCNR). This advisory board was created in 1989. It worked to create a State water plan in 1999. The DCNR dissolved the water planning section of the DWR in 2000. Its programs were transferred to the DWR at that time. The Governor's Office confirmed the Advisory Board on Water Resources Planning and Development is inactive. There is no evidence this board has had members since 2001.

The next entity A.B. 456 repeals is the Collection Agency Advisory Board which is addressed in NRS 649.047 and 649.049. This board was created in 1989 to advise the Legislature on collection agencies. There is no record of this board meeting after 1999. The commissioner of the Division of Financial Institutions indicated to the Sunset Subcommittee he would not object to the termination of this board.

The State and Local Government Panel on Renewable and Efficient Energy is noted within NRS 701.450 through 701.465. It was established in 2009 to

advise State and local governments concerning the retrofitting of public buildings. The panel is inactive and there is no evidence it has ever met. The director of the Governor's Office of Energy requested the Sunset Subcommittee repeal the panel.

In conclusion, these entities have no members and have not met for many years. In some cases, they have never met.

All the votes for termination of these entities were unanimous by the Sunset Subcommittee, except for one vote against termination for the Panel on Renewable and Efficient Energy.

The Sunset Subcommittee attempted to contact members who were involved with these boards, committees and panels. In some instances, the Subcommittee was successful and worked with the representative to verify inactivity. In other instances, the Sunset Subcommittee was unable to find any contact for the board, committee or panel.

Senator Lipparelli:

It appears the Sunset Subcommittee has made the proper recommendations with regard to termination of these boards, committees and panels.

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Chair Hardy:

There being no further business before the Committee, the meeting is adjourned at 3:52 p.m.

RESPECTFULLY SUBMITTED:

Ellen Walls,
Committee Secretary

APPROVED BY:

Senator Joe P. Hardy, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit		Witness or Agency	Description
	A	1		Agenda
	B	1		Attendance Roster