

**MINUTES OF THE
SENATE COMMITTEE ON JUDICIARY**

**Seventy-Eighth Session
May 18, 2015**

The Senate Committee on Judiciary was called to order by Chair Greg Brower at 1:40 p.m. on Monday, May 18, 2015, in Room 2134 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 Greg Brower, Chair
Senator Becky Harris, Vice Chair
Senator Michael Roberson
Senator Scott Hammond
Senator Ruben J. Kihuen
Senator Tick Segerblom
Senator Aaron D. Ford

STAFF MEMBERS PRESENT:

Patrick Guinan, Policy Analyst
Nick Anthony, Counsel
Lynette Jones, Committee Secretary

Chair Brower:

I will open the work session with Senate Bill (S.B.) 292.

SENATE BILL 292: Revises provisions relating to certain civil actions involving negligence. (BDR 3-954)

Patrick Guinan (Policy Analyst):

I will read from the work session document on S.B. 292 ([Exhibit C](#)). The Committee submitted Proposed Amendment 7335 with the approval of Chair Brower.

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Chair Brower:

Senator Roberson, can you walk the Committee through Proposed Amendment 7335?

Senator Roberson:

We deleted the proposed changes in section 4.

Chair Brower:

We are deleting the proposed changes in section 4 and leaving statute intact?

Senator Roberson:

Yes. We added language to section 1 regarding the liability of a board of trustees of a school district when there is a school-based health center located on the premises of the school, which is reasonable.

In section 2, we clarified the definition for a provider of health care to include a professional corporation or physicians' group practice.

The biggest change is in section 4. We could not agree to this contentious provision. To move the bill forward, we removed section 4. The bill is a step in the right direction.

Senator Ford:

People can agree on this version of the bill.

SENATOR HARRIS MOVED TO AMEND AND DO PASS AS AMENDED
S.B. 292 WITH PROPOSED AMENDMENT 7335.

SENATOR HAMMOND SECONDED THE MOTION.

Senator Segerblom:

In Nevada, malpractice cases are almost impossible to prove. In the early 2000s, we had an issue with medical malpractice and laws were changed. It did not reduce the rates doctors must pay for malpractice insurance. Senate Bill 292 fixes a problem that does not exist. When a person commits malpractice and mistakenly cuts off another's arm, the injured person should receive compensation. Our system is as good as it is going to get. This bill makes malpractice worse and I cannot support it. I must oppose anything that makes it harder for a plaintiff or injured person to recover.

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Senator Kihuen:

I will vote against S.B. 292, but I reserve the right to change my vote on the Senate Floor.

Chair Brower:

I believe the compromise language makes sense and moves us in the right direction. I do not believe it undermines a potential plaintiff's right to bring an action or recover damages.

THE MOTION CARRIED. (SENATORS KIHUEN AND SEGERBLOM VOTED NO.)

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Chair Brower:

I will close the work session on S.B. 292 and adjourn the meeting at 1:46 p.m.

RESPECTFULLY SUBMITTED:

Lynette Jones,
Committee Secretary

APPROVED BY:

Senator Greg Brower, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit / # of pages		Witness / Entity	Description
	A	1		Agenda
	B	1		Attendance Roster
S.B. 292	C	7	Patrick Guinan	Work Session Document