

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON COMMERCE AND LABOR**

**Seventy-Ninth Session
April 12, 2017**

The Committee on Commerce and Labor was called to order by Chair Irene Bustamante Adams at 1:36 p.m. on Wednesday, April 12, 2017, in Room 4100 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 at www.leg.state.nv.us/App/NELIS/REL/79th2017.

COMMITTEE MEMBERS PRESENT:

Assemblywoman Irene Bustamante Adams, Chair
Assemblywoman Maggie Carlton, Vice Chair
Assemblyman Paul Anderson
Assemblyman Nelson Araujo
Assemblyman Chris Brooks
Assemblyman Skip Daly
Assemblyman Jason Frierson
Assemblyman Ira Hansen
Assemblywoman Sandra Jauregui
Assemblyman Al Kramer
Assemblyman Jim Marchant
Assemblywoman Dina Neal
Assemblyman James Ohrenschall
Assemblywoman Jill Tolles

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

Assemblyman Keith Pickard, Assembly District No. 22
Assemblyman James Oscarson, Assembly District No. 36

Minutes ID: 773



STAFF MEMBERS PRESENT:

Kelly Richard, Committee Policy Analyst
Wil Keane, Committee Counsel
Earlene Miller, Committee Secretary
Olivia Lloyd, Committee Assistant

OTHERS PRESENT:

Jon Sasser, Statewide Advocacy Coordinator, Legal Aid Center of Southern Nevada
Andy McKay, Executive Director, Nevada Franchised Auto Dealers Association
Barbara Richardson, Commissioner of Insurance, Division of Insurance, Department of Business and Industry
Glenn Shippey, Actuarial Analyst II, Life and Health Section, Division of Insurance, Department of Business and Industry
Paul J. Enos, representing Nevada Self-Insurers Association
Anna M. Durst, Chief Executive Officer, Nevada Society of Certified Public Accountants
Viki A. Windfeldt, Executive Director, Nevada State Board of Accountancy
Karen A. Peterson, Attorney, Nevada State Board of Accountancy
Marcus Conklin, representing Nevada Mortgage Lenders Association
Helen Foley, representing Nevada Association for Marriage and Family Therapy
Merlelynn Harris, President, Nevada Association for Marriage and Family Therapy
Lynne M. Smith, Clinical Director, University of Phoenix; and President, Nevada Counseling Association
Joelle Gutman, Private Citizen, Reno, Nevada
Joan Hall, President, Nevada Rural Hospital Partners
Bryan Gresh, representing Nevada Psychological Association
Agata Gawronski, Executive Director, Board of Examiners for Alcohol, Drug and Gambling Counselors
Colleen Platt, Counsel, Board of Examiners for Alcohol, Drug and Gambling Counselors
Sara Hunt, Director, Mental and Behavioral Health Coalition, University of Nevada, Las Vegas
Morgan Alldredge, Executive Director, Board of Psychological Examiners
Paula Berkley, representing, Board of Examiners for Social Workers
Sandy Lowery, Interim Executive Director, Board of Examiners for Social Workers

Chair Bustamante Adams:

[The roll was called.] We will have the work session first. Assembly Bill 353 will not be heard at the request of the sponsor. For work session, we are moving Assembly Bill 3, Assembly Bill 109, Assembly Bill 161, Assembly Bill 163, Assembly Bill 206, and Assembly Bill 405 to the hearing on April 14, 2017. We are removing Assembly Bill 115 from the agenda.

Assembly Bill 353: Revises provisions governing professional licensing. (BDR 54-930)

[This bill was not heard.]

Assembly Bill 3: Makes various changes relating to the administration of workers' compensation claims. (BDR 53-161)

[This bill was not considered.]

Assembly Bill 109: Revises provisions relating to public utilities. (BDR 58-622)

[This bill was not considered.]

Assembly Bill 115: Authorizes a physician assistant or advanced practice registered nurse to perform certain services. (BDR 40-98)

[This bill was not considered.]

Assembly Bill 161: Requires the notarization of certain rental agreements. (BDR 10-733)

[This bill was not considered.]

Assembly Bill 163: Revises provisions governing certain short-term loans. (BDR 52-737)

[This bill was not considered.]

Assembly Bill 206: Revises provisions relating to the renewable portfolio standard. (BDR 58-746)

[This bill was not considered.]

Assembly Bill 405: Establishes certain protections for and ensures the rights of a person who uses renewable energy in this State. (BDR 52-959)

[This bill was not considered.]

Chair Bustamante Adams:

We are going to rescind a motion that we took on Assembly Bill 262. After the meeting we found an error. I will ask the maker of the motion to rescind it.

**Assembly Bill 262: Revises provisions relating to contracts for the sale of vehicles.
(BDR 52-937)**

ASSEMBLYMAN OHRENSCHALL MOVED TO RESCIND HIS MOTION
MADE APRIL 10, 2017 ON ASSEMBLY BILL 262.

ASSEMBLYMAN DALY SECONDED THE MOTION.

Is there any discussion?

Assemblywoman Tolles:

I had reserved my right to change my vote because of the confusion over the amendment.
I will change my vote to yes.

THE MOTION PASSED UNANIMOUSLY.

Jon Sasser, Statewide Advocacy Coordinator, Legal Aid Center of Southern Nevada:

I appreciate the chance to correct an error in the amendment that was passed. The amendment ([Exhibit C](#)) removes section 1, which was a definition of "knowingly" that would apply to all of the deceptive trade practices in *Nevada Revised Statutes* (NRS) Chapter 598, not just the wrongful repossessions which were the main subject of this bill. There is also a change to the bond recovers, adding three torts. That should have only been a change in section 7. It ended up also being a change in sections 8 and 9, which was not subject to the agreement.

Andy McKay, Executive Director, Nevada Franchised Auto Dealers Association:

Mr. Sasser is correct, and we are no longer opposed to the bill.

Chair Bustamante Adams:

I will entertain a motion.

ASSEMBLYMAN OHRENSCHALL MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 262.

ASSEMBLYMAN DALY SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

We will move into our work session on Assembly Bill 12.

Assembly Bill 12: Makes various changes relating to insurance adjusters. (BDR 57-465)

Kelly Richard, Committee Policy Analyst:

Assembly Bill 12 relates to the regulation of insurance adjusters ([Exhibit D](#)). As drafted, the bill requires certain adjusters to obtain continuing education in order to renew a license; it also requires adjusters to adhere to certain standards of conduct. The measure provides for the issuance of a nonresident license as an independent adjuster and a temporary emergency license in the event of a catastrophe.

There is a mock-up attached [page 2, ([Exhibit D](#))] that was submitted by the Chair. The amendment requires individuals and employees of third-party administrators who adjust workers' compensation claims to obtain a license as an adjuster. It eliminates the reference to "independent" adjusters in the bill and creates two new types of adjusters called a "company adjuster" and "staff adjuster." The amendment extends the effective date of the bill to July 1, 2018.

Chair Bustamante Adams:

I will entertain a motion.

ASSEMBLYWOMAN CARLTON MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 12.

ASSEMBLYMAN DALY SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblyman Brooks. We will move to the work session on Assembly Bill 83.

Assembly Bill 83: Makes various changes relating to insurance. (BDR 57-159)

Kelly Richard, Committee Policy Analyst:

Assembly Bill 83 is the omnibus bill of the Division of Insurance, Department of Business and Industry ([Exhibit E](#)). This bill modifies provisions related to the administrative supervision of insurers; provides for the regulation of network plans; revises provisions related to insurance producers; addresses various confidentiality requirements; makes certain changes related to service contract providers; and makes many other changes to the regulation of insurance.

Attached is an abridged mock-up [page 2, ([Exhibit E](#))] which contains information on all amendments proposed for this bill to date, along with an explanation for each of the requested changes. The first change is in section 6. It was agreed the provision in subsection 5 where it says, "The insurer has failed or refused to comply with any applicable provision of this Code" would be removed.

The next change is in section 25, subsection 1, paragraph (b), subparagraph (1) where the word, "willfully" was deleted in the original bill. We are now adding the word "knowingly." Using the standard, "knowingly violated or failed to comply with any provision of this Code" appears to be a more appropriate standard for suspending or revoking a certificate of registration.

The next change, in section 37, subsection 1, paragraph (a) would remove the word "not." This would correct an error because the section is intended to apply to carriers who have a rating of less than "A-," and as previously written, it would have applied only to carriers rated "A-" or higher. All of these changes except for one were discussed in the previous two hearings on this bill.

The next change is in section 70. This would change it to say, for each contract, that the contract needed to "provide that, in the event of a court-determined insolvency of the health carrier or any applicable intermediary, or in the event of any other cessation of operations of the health carrier or intermediary, written notice must be provided to the participating provider as soon as practicable."

Sections 75 and 76 are proposed to be removed. Section 78 is being modified because the existing wording may confuse the role of the insurer who is providing benefits and the provider who is providing services. This change is intended to provide more clarity. Section 79 is changed to better mirror the model language that reflects notification to participating providers generally rather than each provider individually. The next few changes amend statutes to apply to product discontinuations only, which aligns with the Health Insurance Portability and Accountability Act of 1996, and that is in section 98 as well as sections 110, 112, and 114.

There are changes in sections 123 through 128 that relate to service contract providers. This is consensus language developed between the industry and the Division. This was discussed during the original hearing as well as the subsequent hearing on the bill.

Section 162 proposes to delete the changes to this section which would remove the exemption for the Commissioner of Insurance from certain requirements related to the Administrative Procedures Act for the purposes of establishing and adjusting certain standards and requirements relating to health insurance. We would strike that entirely. Section 169 would modify the effective dates. The reason for that would be to allow the Department of Business and Industry to speed up implementation of effective dates for those sections.

Chair Bustamante Adams:

I know there was a question on section 36. Can you give a brief summary of the need for that?

Barbara Richardson, Commissioner of Insurance, Division of Insurance, Department of Business and Industry:

I will bring up our health expert.

Glenn Shippey, Actuarial Analyst II, Life and Health Section, Division of Insurance, Department of Business and Industry:

Section 36 is proposing to remove the right of a carrier that is requesting a rate increase for health insurance from, upon the act of disapproval of that rate increase by the Commissioner, having a reconsideration of the decision by the Commissioner. It still restores the rights of the carrier to request a rate hearing upon disapproval. The main reason why we are proposing this change is that for health insurance, the compressed timelines under which we have to operate, particularly with the exchange or marketplace for qualified health plans and the timing of those, we cannot accommodate that reconsideration request of that carrier. We work closely with and communicate with our carriers when they request rate changes. When we make a decision to disapprove a rate increase for a health policy, it is toward the end of the timeline, and the reconsideration that currently exists forces a new process to evaluate that decision. That takes 30 days, and it goes beyond our capacity which is currently imposed on us because of our responsibilities with the exchange plans particularly.

Assemblywoman Carlton:

Are you going to go to a "file and use" model to where the insurance companies will file the rates? They will be deemed in effect if the Commissioner does not disapprove within 60 days. If it does not happen within the 60 days, the rates will continue to stay in effect. Is that correct?

Glenn Shippey:

It is not a "file and use." There is a deemer if we fail to act, which we do not. We have the 60-day time frame after a filing is determined by the Commissioner to be complete. That is when the statutory clock will start to run. That gives us sufficient time. We are prior approval for all personal lines rates. A carrier must get our approval prior to making a rate change, and we ensure that we review any rate change requests in a very efficient manner.

Assemblywoman Carlton:

On page 20, line 42 of the bill, it says, "If the Commissioner fails to approve or disapprove the proposal within that period, the proposal shall be deemed approved." That gives me concern. Please tell me that this will get done within that time frame and that someone will not be able to raise health insurance premiums on someone without your making sure that the public is protected. Just tell me my constituents are not going to get abused by this.

Glenn Shippey:

We assure you that in no case will a rate change be implemented by a carrier because of our failure to act within the statutory time frame.

Assemblywoman Tolles:

I need clarification on page 94 of the amendment ([Exhibit E](#)), section 162, subsection 1, subparagraph (o). Essentially, it was enabling the Commissioner of Insurance to be able to adjust according to changes in federal regulations. If I recall correctly, I believe we had a lengthy discussion about enabling the Commissioner to be flexible, not necessarily knowing what was going to happen on the federal level. I am curious why we are taking that language out of the bill. How is the Division of Insurance going to adjust to any changes on the federal level. Do you feel you have the ability to do that?

Chair Bustamante Adams:

I will have Assemblywoman Carlton answer that question because it was our decision to remove subparagraph (o).

Assemblywoman Carlton:

I was the person who asked for this to be removed because I had the most concern. If the Affordable Car Act is repealed, we will have many problems in this state with the budget and the Medicaid budget. With just the Executive Branch and one regulator trying to figure this out, I felt we should also be in the discussion because of the people we represent. If it gets to that point, there are bigger issues, and I think we should all be here to make sure our constituents are taken care of. That would be a huge burden to put on a regulator. I believe it is a legislative priority for us to represent our constituents. That is the reason I asked the Chair to remove subparagraph (o) from the bill.

[Letter regarding A.B. 83 was submitted by Nick J. Stosic, Division of Insurance, Department of Business and Industry ([Exhibit F](#)).]

Chair Bustamante Adams:

I will entertain a motion.

ASSEMBLYWOMAN CARLTON MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 83.

ASSEMBLYWOMAN TOLLES SECONDED THE MOTION.

Is there any discussion?

Assemblyman Marchant:

I am going to reserve my right to change my vote, but I am going to vote yes.

Assemblyman Kramer:

I will also vote yes, but reserve my right to change my vote.

THE MOTION PASSED UNANIMOUSLY.

Chair Bustamante Adams:

I will assign the floor statement to Assemblywoman Carlton. We will move to Assembly Bill 458.

Assembly Bill 458: Revises provisions governing industrial insurance. (BDR 53-489)

Kelly Richard, Committee Policy Analyst:

Assembly Bill 458 makes various changes to workers' compensation claims ([Exhibit G](#)). The bill expands the reasons for which an injured employee may obtain an independent medical examination; modifies certain requirements related to vocational rehabilitation; clarifies the method used to rate a body part, which was included in a previous permanent partial disability award; codifies the maximum amount of a lump sum that a person injured on or after July 1, 2017, may elect to receive as compensation; and requires the tables used to calculate the lump sum to be adjusted on July 1 of each year. There are three amendments in this work session document. Two of the amendments were proposed during the hearing on the bill.

The first amendment [page 2, ([Exhibit G](#))] would amend section 3, subsection 6 of the bill to specify that an insurer is entitled to a copy of the independent medical examination. It would remove the reference to section 3 of the bill in section 5 and to section 4 of the bill in section 7. It would amend section 9 of the bill to incorporate the intermediate class of permanent partial disability award recipients created by the Division of Industrial Relations' revision to section 616C.498 of the *Nevada Administrative Code*, a copy of which is attached to the work session document [page 16, ([Exhibit G](#))]. It will amend *Nevada Revised Statutes* (NRS) 616C.235 to increase the maximum amount of a medical-only claim from \$300 to \$800 and amend NRS 616C.390 to provide a definition for "retired" for purposes of determining whether an employee with a reopened claim is entitled to vocational rehabilitation services or temporary total disability benefits. The subsequent amendment I spoke of would reduce the amount of time an injured worker has to select a vocational rehabilitation counselor from 14 days to 7 days.

Chair Bustamante Adams:

I will entertain a motion and then have Mr. Enos present his amendment [page 6, ([Exhibit G](#))].

ASSEMBLYWOMAN CARLTON MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 458.

ASSEMBLYMAN DALY SECONDED THE MOTION.

Paul J. Enos, representing Nevada Self-Insurers Association:

Subsequent to the meeting when we heard A.B. 458, we worked with representatives from the Nevada Justice Association. We arrived at an agreement. We want to streamline that process, get somebody into vocational rehabilitation quicker so they can get on a path to recovery. We agreed to reduce the number of days from 14 to 7.

Chair Bustamante Adams:

If the amendment is accepted, would you be in support of the bill?

Paul Enos:

As the bill stands now, yes.

Chair Bustamante Adams:

Is there other discussion?

Assemblywoman Carlton:

What are we trying to fix?

Paul Enos:

We are trying to get the process of getting a person into a vocational rehabilitation program faster than two weeks. We had a number of issues that we were negotiating with the Nevada Justice Association. This was the one that was accepted to reduce the number of days from 14 to 7 to choose a vocational rehabilitation counselor. We believe the injured worker will be working with his or her attorneys, who will be able to advise them. The quicker we can get an injured worker into a vocational rehabilitation program, the better off we all are.

Assemblywoman Carlton:

What if you cannot get an appointment in seven days? If you cannot get an appointment, how do you know if you want that to be your person?

Paul Enos:

I will have to look at that to see if it is an appointment or choosing that individual.

Assemblywoman Carlton:

I see some time difficulties there.

Paul Enos:

We agreed to support this bill with this change.

Assemblywoman Carlton:

I have some concerns. We should not be playing games with injured workers.

Assemblyman Kramer:

My problem with workers' compensation is that sometimes the cheapest cure gets proposed first. That delays the best cure and keeps the person out of work that much longer. Does your compromise address that issue?

Paul Enos:

Yes, it does.

Assemblyman Paul Anderson:

We want to make sure the worker is taken care of and back to work as speedily as possible.

Assemblywoman Neal:

I will vote yes, but I am reserving my right to change my vote.

Chair Bustamante Adams:

I will call for the vote.

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblyman Ohrenschall. We will move to the next bill on work session, Assembly Bill 267.

Assembly Bill 267: Revises provisions governing industrial insurance. (BDR 53-650)

Kelly Richard, Committee Policy Analyst:

Assembly Bill 267 modifies certain provisions relating to claims for occupational illness or disease ([Exhibit H](#)). The bill would allow a claimant with an occupational disease of cancer, lung disease, or heart disease to obtain temporary total disability benefits, regardless of whether the claimant was incapacitated for at least 5 cumulative days within a 20-day period. The bill also provides that if an employer, insurer, or third-party administrator denies an occupational disease claim and the claimant ultimately prevails, the employer, insurer, or administrator must pay all the claimant's attorney's fees and associated costs. Finally, A.B. 267 restricts the dissemination and use of certain physical examinations required to be obtained by firefighters, arson investigators, and police officers.

The Chair submitted the attached amendment [page 2, ([Exhibit H](#))], which further refines the allowable dissemination and use of the physical examinations required of certain employees; includes the word "reasonable" for the award of attorney's fees and associated costs; and specifies that the attorney's fees and costs do not include those incurred by the claimant prior to a hearing before a hearing officer.

Chair Bustamante Adams:

I will entertain a motion.

ASSEMBLYWOMAN JAUREGUI MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 267.

ASSEMBLYMAN DALY SECONDED THE MOTION.

Assemblyman Paul Anderson:

The second half of the amendment put me at ease where we could discuss reasonable versus a guaranteed award on the attorney's fees and associated costs. I think the key is that we need the judge to have some discretion as to what is reasonable. With the amendment, I can support this.

Assemblywoman Tolles:

I appreciate the amendment to clarify the language.

Chair Bustamante Adams:

I will call for the vote.

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblyman Araujo. We will move to the next bill on work session, Assembly Bill 328.

**Assembly Bill 328: Revises provisions relating to professional licensing boards.
(BDR 54-157)**

Kelly Richard, Committee Policy Analyst:

Assembly Bill 328 relates to the legal counsel utilized by professional licensing boards (Exhibit I). The bill prohibits an attorney from being employed as legal counsel by more than one board and prohibits a person from being employed as an executive director or executive secretary by more than one board. It also requires an attorney who contracts with a board to carry a policy of professional liability insurance which names the state as an additional insured and extends the sovereign immunity of the state to such an attorney. The bill further requires the Attorney General or deputy attorney general to prosecute any case before a board, unless disqualified or lacking in the necessary expertise. Additionally, A.B. 328 prohibits an attorney who is employed as legal counsel to the board from prosecuting a contested case at any time while employed or retained by the board. The measure also requires the Department of Administration to establish standards for the financial operation and administration of the boards, including a requirement for an annual audit. Finally, A.B. 328 removes an exemption for certain boards from having to comply with a uniform disciplinary process for licensees.

The attached amendment [page 2, ([Exhibit I](#))] was submitted by Assemblyman Pickard and removes the requirement that the Department of Administration require each regulatory body to provide for an annual audit; removes the requirement that the Attorney General or deputy attorney general prosecute a contested case on behalf of a regulatory body; clarifies when an attorney who serves as legal counsel prosecutes a case for a regulatory body, the attorney may not also act as counsel when the regulatory body considers or makes a decision regarding the contested case; allows the State Board of Pharmacy to employ more than one attorney; and raises the ceiling of the amount of revenue a board obtains annually before it must obtain an audit under certain circumstances from \$75,000 to \$200,000.

Chair Bustamante Adams:

I will entertain a motion.

ASSEMBLYMAN KRAMER MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 328.

ASSEMBLYMAN PAUL ANDERSON SECONDED THE MOTION.

Is there any discussion?

Assemblyman Daly:

I had concerns over sections 10 and 30 that provided immunity. I understand they tried to narrow it if a person is an independent contractor and they are also not an attorney for any other board. I still do not see why a private attorney hired by somebody cannot have his own insurance to have the state's immunity. I will not be able to support the bill as it is.

Assemblyman Keith Pickard, Assembly District No. 22:

The idea was that we were going to simply limit that immunity to cover those that would act as if they were the employee. There are some attorneys who are currently acting as employees and enjoy that immunity status. We did not want to give a disincentive to private practice attorneys acting independently on behalf of the boards from losing that benefit. It is very narrow and only applies to those who are representing boards in their capacity as counsel to the board which, if they were employees, they would already enjoy.

Assemblyman Daly:

I understand if they were employees of the board, they would not have any other practice, but this says they just cannot be another attorney for another board. They still have their own practice, and it seems to me that they would have their own insurance and would not need the state's immunity.

Assemblyman Pickard:

That is correct to the extent that the private attorneys have liability insurance. That would not necessarily cover all cases. That is really just malpractice, and immunity protection would provide them a little greater protection so they could continue to answer to the board.

Chair Bustamante Adams:

I will call for the vote.

THE MOTION PASSED (ASSEMBLYMAN DALY VOTED NO.
ASSEMBLYMAN FRIERSON WAS ABSENT FOR THE VOTE.)

Assemblywoman Carlton:

I have the same concerns that Assemblyman Daly has and I would like to continue conversations with Assemblyman Pickard as this bill moves forward. I committed to support the bill, but I continue to have the concerns.

Chair Bustamante Adams:

I will assign the floor statement to Assemblyman Pickard. We will move to the next bill on work session, Assembly Bill 425.

Assembly Bill 425: Revises provisions governing alcohol, drug and problem gambling counselors. (BDR 54-1031)

Kelly Richard, Committee Policy Analyst:

Assembly Bill 425 makes various changes to the regulation of alcohol, drug, and gambling counselors ([Exhibit J](#)). The bill authorizes the Board of Examiners for Alcohol, Drug and Gambling Counselors to place licensees on inactive status in certain circumstances, while prohibiting a licensee who has requested inactive status from practicing and providing a penalty for failure to comply. Additionally, A.B. 425 authorizes the Board to impose certain sanctions or penalties for providing services while not holding a license or certificate or falsely claiming to hold a license or certificate. Finally, the bill allows a certified alcohol and drug abuse counselor who meets certain requirements to supervise a certified intern. The attached amendment [page 2, ([Exhibit J](#))] was submitted by the Board. The amendment modifies the training required of alcohol and drug abuse counselor interns.

Chair Bustamante Adams:

I will entertain a motion.

ASSEMBLYWOMAN CARLTON MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 425.

ASSEMBLYMAN OHRENSCHALL SECONDED THE MOTION.

Is there any discussion? [There was none.] I will call for the vote.

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

I will assign the floor statement to Assemblyman Sprinkle. Our next work session bill is Assembly Bill 454.

**Assembly Bill 454: Makes various changes to provisions relating to accountants.
(BDR 54-109)**

Kelly Richard, Committee Policy Analyst:

Assembly Bill 454 revises definitions related to the service of accountants ([Exhibit K](#)). It requires the Nevada State Board of Accountancy to provide certain notices by electronic mail. The measure also removes a qualification that in order to obtain a certificate, the applicant must be a resident of this state or designate an agent in this state to receive service of process and makes other changes to the educational, work experience, and examination requirements. Further, A.B. 454 allows the Board to cooperate with other agencies in investigating a certificate holder and to issue a cease and desist order in certain circumstances. It also repeals provisions relating to the regulation of registered public accountants and business entities formed by accountants.

The Board submitted the attached amendment [page 2, ([Exhibit K](#))]. It makes various technical changes throughout the bill. Additionally, Paul Enos, on behalf of the Nevada Society of Certified Public Accountants, submitted the attached amendment [page 9, ([Exhibit K](#))], which eliminates the requirement that a partnership, corporation, limited liability company (LLC), or sole proprietorship register with the Board in order to perform certain services. These new sections would be effective January 1, 2019. The staff believes this is substantially similar to Senate Bill 129.

Assemblywoman Carlton:

Was this amendment proposed at the hearing?

Chair Bustamante Adams:

The last amendment was not proposed during the hearing.

Assemblywoman Carlton:

Why would we not have people register in transparency with the Board if they are performing those services?

Paul J. Enos, representing the Nevada Society of Certified Public Accountants:

The Chief Executive Officer of the Nevada Society of Certified Public Accountants (CPAs) will talk about the reasons behind this new provision.

Anna M. Durst, Chief Executive Officer, Nevada Society of Certified Public Accountants:

Currently there are a number of services that individual CPAs can provide to Nevada businesses and clients without registration with the Nevada State Board of Accountancy. This includes test services. The services that are being provided are highly regulated throughout the country. The CPAs have to do special continuing education and licensing requirements through their home state. This is to align Nevada with most of our neighbors that allow cross-border work with attest services without registration. These are things that CPAs sign to attest things are correct. Currently they can do taxes, consulting, and other things without registration. There are 16 states that allow this already, and there are 10 more that are passing legislation to allow attest functions. There is a uniform accountancy act that we are looking to align to with these services. This was heard in the Senate and has now been added to this bill. The Board of Accountancy and the Society of CPAs have worked together on this.

Assemblywoman Neal:

In the other states, did they also say a partnership, a corporation, a limited-liability company, or sole proprietorship does not have to register? Are the categories that broad?

Viki A. Windfeldt, Executive Director, Nevada State Board of Accountancy:

Currently, there is individual mobility so individual CPAs can come and go out of the state to perform any service without notification. All states have individual mobility. Nevada was one of the few exceptions where we wanted notification initially when we passed individual mobility. We asked for notification under the firm, which is the sole practitioner, partnership, LLC, and corporation. Now, the movement is to not have notification for the firms as well. This amendment removes notification for attest services.

Assemblywoman Neal:

What was the public policy purpose for us asking for the notification outside of what other states are doing?

Karen A. Peterson, Attorney, Nevada State Board of Accountancy:

The reason for the notification was so we would know who was coming into the state to perform attest services.

Assemblywoman Neal:

There must be a reason, even though there is a national movement.

Karen Peterson:

That is correct. The Board was originally opposed to this bill. We worked with the Society, and the Board took a vote and determined that they would be neutral with the implementation date of January 1, 2019. If there are any problems that we see in the state between now and January 2019 with regard to firms coming in and performing attest services, we would bring those forward to the Legislature in 2019, and ask that this not be implemented.

Assemblywoman Neal:

How did they get you to give in to something that you really did not want?

Viki Windfeldt:

The Board has always said we were not ready now, and that is why we opposed the language. The agreement was to do it at a later time with a later implementation date. With that later implementation date, we can see what shakes out from the other states across the different jurisdictions. Most of the states that have firm mobility have no notification as a standard. We were always the exception to that, and we know that this is moving in our direction. We wanted more time to see what happens across the different states.

Assemblywoman Carlton:

I feel the same, and I always try to respect what our regulators do because we ask them to do the right thing for the people of the state. If we are talking about the year 2019, we can have that discussion in the next legislative session. The last thing we need to do is find out someone came into the state and did something wrong. Audit functions are very important. I remember some of the changes that have happened over the last few years, and I have some concerns about what could possibly happen with this. I am not able to support this at this time.

Anna Durst:

There were inconsistencies among the states on licensing requirements and other regulatory aspects and experience aspects with these attest functions. As those have become more uniform, that is why we chose to start moving forward with a nonregistration process because we feel the risk is quite low for someone coming in, doing the bad work, and not being caught because of the functions in the other states. The national trend towards oversight is getting stronger throughout the entire country. We felt that the risk is so minimal now that this is the time.

Assemblywoman Carlton:

I understand they will be regulated by their home state. If a Nevadan was aggrieved by this, they would have to go to another state to get redress on their issue.

Anna Durst:

Not necessarily. This does not reduce the disciplinary ability of our state. The disciplinary authorities do not change.

Assemblywoman Carlton:

If we do not know they are here, we are fixing something after it is out of the corral.

Anna Durst:

That is how it is fixed now. It is a complaint-driven process. Through their investigative processes, when a person registers, the Board could currently find out if they have done something wrong in another state or do not meet some requirements. That is a proactive approach, but most of the complaints come as a complaint-driven process after the fact. That does not change with this bill.

Assemblywoman Carlton:

We would not know from the other state if there was a bad actor coming into this state because we would not know they were here.

Anna Durst:

They could, but they can now as well, and choose not to register.

Assemblywoman Carlton:

That is breaking the law.

Chair Bustamante Adams:

I will entertain a motion with the amendment from the Board only.

ASSEMBLYWOMAN CARLTON MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 454.

ASSEMBLYMAN OHRENSCHALL SECONDED THE MOTION.

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

I will assign the floor statement to Assemblywoman Tolles. We will move to the work session on Assembly Bill 165.

**Assembly Bill 165: Provides for the licensure of health services executives.
(BDR 54-566)**

Kelly Richard, Committee Policy Analyst:

Assembly Bill 165 was heard in this Committee on March 8, 2017, and is sponsored by Assemblyman Hambrick ([Exhibit L](#)). The bill creates a new category of licensure—a health services executive—for persons who act as both an administrator of a residential facility for groups and a nursing facility.

During the Committee's discussion on the measure, the Committee's legal counsel recommended a change to subsection 4 of section 14 to address an ambiguity. This change would provide the Board of Examiners for Long-Term Care Administrators with explicit approval to adopt regulations to establish how a license as a health services executive could be reinstated.

Chair Bustamante Adams:

I will entertain a motion with the amendment presented.

ASSEMBLYWOMAN TOLLES MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 165.

ASSEMBLYWOMAN CARLTON SECONDED THE MOTION.

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

I will assign the floor statement to Assemblyman Hambrick. We will move to the work session on Assembly Bill 194.

Assembly Bill 194: Provides for the certification of behavioral healthcare peer recovery support specialists. (BDR 54-712)

Kelly Richard, Committee Policy Analyst:

Assembly Bill 194 requires the Board of Examiners for Alcohol, Drug and Gambling Counselors to issue a certificate as a behavioral health care peer recovery support specialist to a person who provides nonprofessional, nonclinical assistance for long-term recovery from substance abuse and other mental disorders by sharing appropriate portions of the person's own recovery. The bill establishes the requirements for obtaining a certificate and provides that behavioral health care peer recovery support specialists may provide services only under the supervision of certain licensed or certified professionals ([Exhibit M](#)).

During the hearing on the bill, Assemblywoman Monroe-Moreno submitted a mock-up. The mock-up in your packet [page 2, ([Exhibit M](#))] is different. This mock-up clarifies that a person is not required to obtain a certificate under this bill if he or she engages in volunteer services for a nonprofit agency or organization and does not receive compensation for such services, and as part of his or her duties in providing volunteer services, performs behavioral health care peer recovery support services.

Other portions of the mock-up are the same as what was presented in the hearing: It requires a person obtaining such services to have been diagnosed with a substance abuse or other mental disorder by a professional; modifies the requirements for supervision; adds a separate ceiling for the fees for behavioral health care peer recovery support specialists; deletes sections 26, 27, and 29 through 35 of the bill; and provides a transitory period of two years from the date of implementation of the act for any person currently providing behavioral health care peer recovery support specialist services to obtain a certificate.

[Steven Burt, Chair, Nevada Behavioral Health Association submitted a letter in a neutral position to A.B. 194 ([Exhibit N](#)).]

[Trey Delap, Director, Group Six Partners, Las Vegas, Nevada, submitted a letter in opposition to A.B. 194 ([Exhibit O](#)).]

Chair Bustamante Adams:

I will entertain a motion.

ASSEMBLYWOMAN JAUREGUI MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 194.

ASSEMBLYMAN OHRENSCHALL SECONDED THE MOTION.

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

I will assign the floor statement to Assemblywoman Monroe-Moreno. We will move to Assembly Bill 199.

Assembly Bill 199: Revises provisions relating to end-of-life care. (BDR 40-813)

Kelly Richard, Committee Policy Analyst:

Assembly Bill 199 revises provisions relating to end-of-life care and was presented by Assemblywoman Woodbury on March 8, 2017 ([Exhibit P](#)). The bill changes the name of a “Physician Order for Life-Sustaining Treatment” to a “Provider Order for Life-Sustaining Treatment” (POLST) throughout *Nevada Revised Statutes* (NRS) and authorizes a physician assistant or an advanced practice registered nurse to make certain determinations regarding and executing such a form. The bill also provides for surrogates to request and execute a POLST on a patient’s behalf and revises the standard for determining whether a patient has the capacity to execute or revoke the form. The bill further requires a health care provider to honor a POLST under certain circumstances. Assembly Bill 199, as drafted, provides for the completion and registration of a POLST electronically with the Secretary of State.

There were amendments presented during the hearing and some amendments were submitted after the fact. They have all been incorporated in the attached mock-up [page 2, ([Exhibit P](#))] submitted by the sponsors. The amendment provides that a POLST is valid upon execution by a provider and, if the patient is less than 18 years of age, a parent or legal guardian of the patient, with the patient’s assent; it requires a provider to determine a patient’s capacity to make decisions concerning his or her wishes for the provision of life-resuscitating and life-sustaining treatment before the patient may revoke a POLST; it clarifies that if the provider determines the patient lacks capacity, the patient’s representative may revoke a POLST, without regard to the patient’s age or physical condition; it specifies only a patient, a representative of a patient, or, if the patient is under 18 years of age, a parent or legal guardian of the patient are authorized to revoke a POLST; it deletes sections 19 and 20, which would have provided for the completion and registration of an electronic POLST on the website of the Secretary of State.

Additionally, Assemblywoman Titus has requested to be added as a primary sponsor to the bill.

Chair Bustamante Adams:

Are there any questions from the Committee?

Assemblywoman Carlton:

In the new language in section 10, I am not sure about that and being able to revoke the POLST.

Wil Keane, Committee Counsel:

These were the changes that were made to section 10. In section 10, subsection 1, paragraphs (a) and (b), the green language was added to make it clear who was making the determination whether the patients have the capacity to make decisions. That language was not in there and it mirrors the language in a previous section of the bill as to who makes the determination of capacity for when the POLST is entered into. It is the same persons. A previous version of the mock-up had deleted subsection (c). That was added back in. I will have to make a change to subsection (a) to make it clear that people under age 18 cannot revoke their own POLST.

Assemblywoman Carlton:

Is it the professionals who would be able say that persons are able to make this decision for themselves?

Wil Keane:

The bill as drafted was adding physician assistants and advanced practice registered nurses to the list of people who could assist a patient with various aspects of the POLST. What was not included in the bill was who would decide if the patient had the capacity to make decisions regarding his or her wishes in revoking a POLST. That language was included in section 9 of the bill for when a person was entering into a POLST, but it had not been included for when the patient was revoking a POLST.

Assemblywoman Carlton:

When individuals are going through the initial discussion about the POLST, they are at one stage of the illness, so when a person wants to revoke it, who has the authority to decide whether the person is competent to revoke their own POLST?

Wil Keane:

Currently, patients have to work with a physician to enter into or revoke a POLST. The current language does not expressly say who makes the determination of competency for the revocation, but it would presumably be the physician.

Assemblywoman Carlton:

I am more comfortable with a higher level of care.

Chair Bustamante Adams:

I will entertain a motion with all of the amendments listed.

ASSEMBLYMAN HANSEN MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 199.

ASSEMBLYMAN PAUL ANDERSON SECONDED THE MOTION.

THE MOTION PASSED (ASSEMBLYWOMAN CARLTON VOTED NO.
ASSEMBLYMAN FRIERSON WAS ABSENT FOR THE VOTE.)

I will assign the floor statement to Assemblywoman Tolles. We will move to the work session on Assembly Bill 339.

Assembly Bill 339: Revises provisions relating to health care. (BDR 54-729)

Kelly Richard, Committee Policy Analyst:

Assembly Bill 339 was heard in Committee on March 31, 2017, and was sponsored by Assemblywoman Woodbury and Senator Hardy ([Exhibit Q](#)). The bill makes changes to certain requirements of the Board of Medical Examiners and the professionals it regulates. The bill authorizes the Board to take possession of a licensee's records in the event of the death, disability, incarceration, or other incapacitation leaving the licensee unable to continue to practice. The bill requires the Board to adopt policies and procedures relating to the placement of information on its website and specifies that anonymous complaints that other licensing boards did not consider or investigate and complaints that do not result in disciplinary action do not need to be reported on a licensure application and makes the same changes for reports of licensees to the Board during the biennial registration process.

The Chair has proposed to delete sections 4 and 8, which relate to the reporting of anonymous or unsubstantiated complaints when applying for initial licensure or renewal. Additionally, the sponsors submitted an amendment to the bill [page 2, ([Exhibit Q](#))]. Their amendment deletes section 2, which would have removed a requirement of the Board to provide certain information to the Director of the Legislative Counsel Bureau concerning sentinel events. It modifies section 3 to require the Board to adopt policies and procedures for placing information on its website. The amendment further clarifies that an applicant for an expedited license must submit a set of fingerprints to the Board. It also removes the repeal of *Nevada Revised Statutes* 630.30665 from the bill, which relates to licensees providing certain reports to the Board regarding surgeries and sentinel events.

Assemblywoman Carlton:

Regarding the concerns that I had on the sentinel events, they will still be reported to the Legislative Counsel Bureau. I am comfortable with that.

Assemblywoman Jauregui:

In the mock-up, it is still showing section 4, subsection 4. Is it still being included that the applicants do not have to submit any anonymous complaints or any complaints where disciplinary action was not taken?

Kelly Richard:

The mock-up was submitted by the sponsors. The Chair is proposing to delete sections 4 and 8 from the bill. That does not appear in the mock-up, but that is for the members to consider.

Chair Bustamante Adams:

I will entertain a motion with the Chair's proposed amendments.

ASSEMBLYWOMAN CARLTON MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 339.

ASSEMBLYMAN DALY SECONDED THE MOTION.

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

I will assign the floor statement to Assemblyman Marchant. We will move to the work session on Assembly Bill 175.

Assembly Bill 175: Requires certain increases in the minimum wage paid to employees in private employment in this State. (BDR 53-866)

Kelly Richard, Committee Policy Analyst:

Assembly Bill 175 requires the Labor Commissioner to ensure that the minimum wage is increased by at least \$1.25 each year until the minimum wage that may be paid is \$15 per hour for an employer who does not offer health insurance and \$14 per hour for an employer who does offer health insurance in accordance with regulations adopted by the Labor Commissioner ([Exhibit R](#)).

The amendment from Assemblyman McCurdy [page 2, ([Exhibit R](#))] proposes to amend the bill by deleting the provisions of section 1 and inserting language outlining what is an acceptable offer of health insurance in order to qualify for a reduced minimum wage. In order for the employer to qualify to pay that reduced minimum wage, the employer would have to offer at least a bronze-level insurance plan to their employees. In the most recent mock-up, the phrase "bronze level" is removed and the portions of the relevant *U.S. Code* that refer to a bronze-level plan are inserted. Otherwise, it is the same.

Assemblywoman Carlton:

We are using the *U.S. Code*, so if the code changes, we are in compliance. Different levels could mean different things. We are being succinct so if they change it, we do not have to.

[Eva Medina, Program Manager, Consumer Direct Care Network Nevada submitted a letter of opposition to A.B. 175 ([Exhibit S](#)).]

[Michael DiAsio, President, Visiting Angels; and Board Member, Personal Care Association of Nevada, submitted a letter in opposition to A.B. 174 ([Exhibit T](#)).]

Chair Bustamante Adams:

I will call for a motion.

ASSEMBLYMAN DALY MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 175.

ASSEMBLYWOMAN CARLTON SECONDED THE MOTION.

Is there any discussion?

Assemblyman Hansen:

I have been a blue collar worker, and I am extremely supportive of increasing anybody's pay. Wages are ultimately a product of supply and demand. As long as we have virtually an unlimited supply of labor, the best thing we could do is get the illegal immigration situation under control. That is the biggest factor in keeping the legal immigrant's wages suppressed. I will be voting no because I believe this is something the market would handle correctly if we got the immigration situation straightened out.

Assemblywoman Carlton:

We cannot blame immigrants for everything. I have been involved with this issue and the components that are in the *Nevada Constitution*. I was around when those things came up to pay someone one wage at one level and another wage at another level. It has been nearly impossible to figure out what that health insurance plan should be. By actually delineating what a reasonable plan is and not allowing someone to offer a plan that the employee cannot afford to pay for or use, but still get the benefit of the lower wage, I believe we have addressed that problem so more people will have health care and/or they will have a higher wage. I believe we have given the employer the choice of how they would like to deal with this and, at the same time, we are getting more people insured. The rate of the uninsured in the state has dropped significantly, and I believe this will help even more. I am glad we are finally giving workers a chance to get real health insurance from their jobs.

Assemblywoman Tolles:

I need more time to understand the possible impacts, so I will vote no, but I reserve the right to change my vote once I get more input.

Assemblyman Araujo:

I would like to echo Assemblywoman Carlton's comments. I also want to take issue with the attacks on vulnerable communities in an attempt to mask what this bill is really intending to do, which is to help hard working Nevadans who really need relief.

Assemblywoman Neal:

I need to process this so I am going to reserve my right.

Chair Bustamante Adams:

I will call for the vote with the amendment as read.

THE MOTION PASSED (ASSEMBLYMEN HANSEN, KRAMER, MARCHANT, AND TOLLES VOTED NO. ASSEMBLYMEN PAUL ANDERSON AND FRIERSON WERE ABSENT FOR THE VOTE.)

I will assign the floor statement to Assemblyman Araujo. We will move to the work session on Assembly Bill 223.

Assembly Bill 223: Revises provisions relating to energy efficiency programs. (BDR 58-660)

Kelly Richard, Committee Policy Analyst:

Assembly Bill 223 revises provisions relating to energy efficiency programs and was sponsored by Assemblyman McCurdy ([Exhibit U](#)). It was heard in the Assembly Committee on Commerce and Labor Subcommittee on Energy as well as in this Committee. The bill requires an electric utility to include in its resource plan an energy efficiency plan that reduces the consumption of electricity through energy efficiency and conservation programs and is designed to be cost effective. The Public Utilities Commission of Nevada (PUCN) may accept an energy efficiency plan if it is cost effective, as measured by the utility cost test. Any order of the PUCN accepting or modifying an energy efficiency plan must include that at least 5 percent of the expenditures relating to energy efficiency and conservation programs must be directed toward energy efficiency programs for low-income customers, unless such a requirement is not cost effective.

The attached amendment was submitted by Assemblyman McCurdy [page 2, [Exhibit U](#)]. The amendment revises the definition of “cost effective” to allow the PUCN to select the test it will utilize to assess an energy efficiency plan or program. The amendment also specifies an energy efficiency and conservation program applies to residential customers, rather than retail. Further, the amendment allows the PUCN to accept an energy efficiency plan consisting of energy efficiency and conservation programs that are not cost effective if the energy plan as a whole is cost effective. It also specifies that any order issued by the PUCN accepting or modifying a plan or plan amendment must specifically direct not less than 5 percent of the total expenditures to energy efficiency programs for low-income customers.

Assemblywoman Carlton:

This is a confusing program, and I applaud the intent to make sure that low-income people have a portion of this to make sure their needs are addressed.

Assemblywoman Tolles:

I appreciate that the sponsors worked with concerned parties to ensure that the PUCN has the discretion to use the most appropriate cost test analysis for each situation. I think this will benefit a lot of people.

Chair Bustamante Adams:

I will entertain a motion with all of the amendments.

ASSEMBLYWOMAN JAUREGUI MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 223.

ASSEMBLYWOMAN TOLLES SECONDED THE MOTION.

THE MOTION PASSED (ASSEMBLYMEN PAUL ANDERSON AND
FRIERSON WERE ABSENT FOR THE VOTE.)

I will assign the floor statement to Assemblyman McCurdy.

The sponsor of Assembly Bill 354 has indicated that we are waiting for some clarification, so that will be heard later, and we will not consider Assembly Bill 222.

Assembly Bill 354: Revises provisions relating to employment practices. (BDR 53-275)

[This bill was not considered.]

Assembly Bill 222: Revises provisions governing payday loans, title loans and installment loans. (BDR 52-574)

[This bill was not considered.]

We will move to the next bill on work session, Assembly Bill 431.

Assembly Bill 431: Revises provisions governing alcoholic beverages. (BDR 52-1018)

Kelly Richard, Committee Policy Analyst:

Assembly Bill 431 makes various changes to the regulation of brew pubs, suppliers, and wholesalers of alcoholic beverages ([Exhibit V](#)). The bill increases the number of locations a brew pub licensee may operate from one to two and increases the number of barrels such a person may manufacture from 15,000 to 20,000. The bill prohibits a person who

operates a brew pub from selling at retail more than 2,000 barrels annually for consumption off premises. Further, A.B. 431 includes breweries and brew pubs within the definition of supplier. The bill revises certain provisions imposed on suppliers by prohibiting certain conduct in relation to wholesalers.

There is an amendment submitted by the sponsor, Assemblywoman Bustamante Adams [page 2, ([Exhibit V](#))]. The amendment includes craft distillery in the definition of supplier; it removes the restriction on the number of brew pubs a licensee may operate and increases to 40,000 barrels the amount of malt beverages a brew pub may manufacture in this state in a calendar year; and allows a brew pub to manufacture, store, and transport malt beverages to a licensed retailer to be sold at a special event in accordance with a permit to be obtained from the Department of Taxation for such a purpose. The amendment also provides a definition of “special event” and restricts the number of permits to be granted for this purpose to 20 within a calendar year per licensee. It also increases the number of barrels that may be sold at retail to 5,000 per year and, of this, no more than 1,000 barrels per year may be sold in kegs.

Chair Bustamante Adams:

I will entertain a motion with all of the amendments proposed.

ASSEMBLYWOMAN JAUREGUI MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 431.

ASSEMBLYMAN DALY SECONDED THE MOTION.

Is there any discussion?

Assemblyman Kramer:

I will vote yes on this and reserve my right to change my vote.

Assemblyman Ohrenschall:

I will reserve my right to change my vote.

THE MOTION PASSED (ASSEMBLYMEN PAUL ANDERSON AND
FRIERSON WERE ABSENT FOR THE VOTE.)

I will take the floor statement. That concludes our work session. I will open the hearing on Assembly Bill 468.

Assembly Bill 468: Revises provisions relating to mortgage brokers and mortgage bankers. (BDR 54-1028)

Assemblywoman Sandra Jauregui, Assembly District No. 41:

I am a conduit for this bill. I support it and I am happy to carry it.

Marcus Conklin, representing Nevada Mortgage Lenders Association:

Assembly Bill 468 was requested by the Nevada Mortgage Lenders Association. We hoped we could streamline the legal and regulatory framework under which mortgage lenders have been operating for some time by combining *Nevada Revised Statutes* Chapters 645B and 645E—one is the mortgage brokers license and the other is the mortgage bankers license—into one statute and thereby allow one regulatory framework for all people who operate in the mortgage lending industry from a residential standpoint. We have been working on this bill for the better part of a year, and last week received a letter in opposition from the Mortgage Advisory Committee, which was news to us. We would rather bring you a bill with a clear consensus. We believe we can get there; we just do not know how long it will take us. With the permission of the bill sponsor, I would like to return this bill to the Committee until we are able to find consensus between the parties on this particular issue.

[Nevada Mortgage Lenders Association submitted a proposed amendment to A.B. 468 ([Exhibit W](#)).]

[Darren K. Proulx, Chair, Advisory Council on Mortgage Investments and Mortgage Lending, submitted a letter of opposition to A.B. 468 ([Exhibit X](#)).]

Chair Bustamante Adams:

Are there any questions from the Committee? [There were none.] Is there any public comment on this bill? [There was none.] I will close the hearing on Assembly Bill 468 and open the hearing on Assembly Bill 457.

Assembly Bill 457: Revises provisions relating to certain professional licensing boards. (BDR 54-410)

Assemblyman James Oscarson, Assembly District No. 36:

Thank you, Madam Chair, for hearing this important bill today and for your flexibility. For the record, I am James Oscarson, representing Assembly District No. 36, covering parts of Clark, Lincoln, and Nye Counties.

I am here to present A.B. 457 as the Chair of the Interim Legislative Committee on Health Care ([Exhibit Y](#)). *Nevada Revised Statutes* (NRS) 439B.200 established the Committee, which has broad authority to review and evaluate the quality and effectiveness of the overall system of medical care in the state. During the 2015-2016 Interim, the Committee was composed of myself, Senator Hardy as Vice Chair, Senator Kieckhefer, Senator Spearman, Assemblywoman Benitez-Thompson, and Assemblyman Gardner.

Over the course of seven day-long meetings, the Committee considered numerous issues affecting the health and health care of Nevadans. We heard much testimony related to access to mental and behavioral health care, the severe shortage of providers of such services in the state, and the challenges individuals face in applying to become behavioral health care professionals in Nevada.

Compared to other states, Nevada ranks at the back of the pack in terms of the number of mental and behavioral health care professionals per 100,000 residents. We rank 38th in psychologists, 45th in mental health and substance abuse counselors, and 47th in psychiatrists. Every county other than Clark County is designated by the federal government as having a shortage of mental health professionals; and even in Clark County, one-third of the population lives in an area where there are not enough mental health providers.

Testimony provided to the Interim Health Committee described a variety of hurdles people who want to practice behavioral health care in Nevada must overcome to obtain a license—even if they are licensed and have been practicing for years in another state. Testimony described lack of clarity and transparency of licensure requirements, poor communication between boards and applicants, and long waits between submitting an application and being issued a license, among other issues.

One particularly enlightening example was that of the Social Workers in Schools Program, which the Legislature approved last session. The effort to place licensed behavioral health care providers in schools faced incredible, unnecessary barriers to finding sufficient providers, due in part to opaque requirements and qualifications for licensure by certain behavioral health licensing boards. I believe the folks working on that program are here today and can discuss their experience with the boards.

In addition, a recent analysis of the behavioral health licensing boards and others by the Division of Public and Behavioral Health, Department of Health and Human Services, found concerns related to:

- Inconsistent complaint investigation and discipline;
- Paperwork rather than electronic processing of applications;
- Lack of formal internal policies approved by their respective boards;
- Inefficient internal processes;
- Lack of adequate databases;
- Lack of consistency in personnel salaries, benefits, and policies;
- Failure to develop an ongoing, consistent venue to share information with other like boards; and
- Minimal financial resources.

The four behavioral health care licensing boards are a crucial piece to ensuring access to care because they serve as the gateways between the pool of potential health care providers and the pool of licensed health care professionals available to serve Nevadans. Boards are in a position to facilitate the licensure application process while ensuring adherence to standards and regulations and protecting patient safety.

The broad goal of A.B. 457 is to improve access to behavioral health care by facilitating licensure for behavioral health providers while ensuring high standards of care. The bill amends NRS Chapters 641 through 641C, which relate to the four boards that license behavioral health care providers. These include the following:

- The Board of Psychological Examiners;
- The Board of Examiners for Marriage and Family Therapists and Clinical Professional Counselors;
- The Board of Examiners for Social Workers; and
- The Board of Examiners for Alcohol, Drug and Gambling Counselors.

Since the Interim Committee met, representatives of the Department of Health and Human Services (DHHS) have been working closely with board members and staff. Together they developed the amendment you have before you today ([Exhibit Z](#)). I would like to thank Cody L. Phinney, Administrator, DHHS, the board members, and staff for coming to the table and for their dedication to improving their communication, transparency, and processes to increase access to mental and behavioral health care for all Nevadans.

I will now walk through the bill and the amendment ([Exhibit Z](#)).

Sections 2, 11, 18, and 25 of the bill require the boards to submit an annual report to the Commission on Behavioral Health—a body which currently exists within the Division of Public and Behavioral Health, DHHS. The proposed amendment revises the specific information that must be included in the annual report to include information related to complaints, investigations, and applications.

Sections 3, 12, 19, and 26 of the bill require each new member of those boards to complete an orientation within 60 days after appointment and require boards to establish policies regarding compensation and reviewing the performance of board staff.

As proposed in the amendment, sections 4, 13, 20, and 27 authorize, but do not require, boards to enter into an agreement with DHHS to provide services or help with improving board functions. For example, the Department might facilitate cooperation with other boards, provide recommendations to improve board standards or procedures, or assist in identifying resources for improving board operations.

Sections 5, 16, 21, and 28 of the bill require the boards to adopt online application forms for issuance or renewal of licenses and certificates. Currently, some boards operate completely manual systems, which wastes time as applicants have no indication as to whether an application is considered complete and must wait for notification of deficiencies and other correspondence via snail mail.

Assembly Bill 457 requires the boards to have an application that can be completed online. This is not simply a PDF form that must be printed, filled out, and mailed in. Rather it is an interactive, online application which lets the applicant know if all information is submitted and automatically stores data upon completion.

Sections 6, 14, 22, and 29 of the bill are revised in the proposed amendment ([Exhibit Z](#)) to authorize a person aggrieved by an application denial or other order imposing disciplinary action to appeal that decision to the Commission on Behavioral Health and allow the Commission to review and modify or rescind such orders on its own motion. Currently, the only appeals process for an aggrieved applicant or licensee is taking a board decision to court. However, for many behavioral health care professionals, the cost of a proceeding in court is prohibitive—which means for them, there is effectively no appeals process. This bill aims to build in an effective appeals mechanism for applicants and licensees.

Sections 7, 15, 23, and 30 of the bill are slightly modified in the proposed amendment and require each board to adopt regulations establishing:

- Uniform standards for board-approved internship locations;
- Standards related to supervision of interns working at remote sites; and
- The manner in which information regarding what is required for licensure is made available to the public.

These sections also require the Commission to review all regulations adopted by the boards.

Section 35 requires each board to submit a report to the Commission by January 1, 2018, with information related to the costs of board activities, the fees imposed by the board, and the board's efforts to recognize licenses, certificates, and other credentials from jurisdictions outside of Nevada.

Finally, Madam Chair, I would like to propose one additional amendment ([Exhibit AA](#)). As you and I have discussed, I think it would be beneficial to include a preamble to the bill to emphasize the fact that behavioral health professional licensing boards have an equal obligation to protect the public, promote quality health care, and facilitate licensure through the development and implementation of fair, consistent, and transparent policies and procedures to increase access to behavioral health care services in Nevada.

Madam Chair, that concludes my remarks. I believe A.B. 457 is a critical step in the right direction. It has already started a conversation, but I want to see the words we have heard turn into action. Each of these boards has its strengths and its weaknesses, and this bill provides a process that will benefit not only the boards, but also current and future providers of mental and behavioral health care services in Nevada. On behalf of the Interim Legislative Committee on Health Care, I appreciate your consideration of A.B. 457 and urge your support. I am happy to answer any questions, and I have with me Cody Phinney, Administrator, Division of Public and Behavioral Health, DHHS, to help.

Chair Bustamante Adams:

Are there any questions from the Committee?

Assemblywoman Carlton:

On the reporting of complaints and investigations, I believe they already submit that, and you can find that through the legislative web page under the boards. You can go to each board and find out what their applications and complaints are. I would be interested in knowing what in that report you are looking for that is not available. I would hate to see a duplicate process. Do any of these boards use the credentialing scheme that we use with a number of other boards where, if you have had a license in another state for five years and have had no problems, you can actually credential into the state? It is not reciprocity because we have an opportunity to say no to people we would have concerns about. It makes it easier to come into the state under the credentialing process. Do any of these boards have credentialing?

Assemblyman Oscarson:

I am not aware of what the boards currently use as a process. Some of them still use the paper, handwritten system that has to be sent in. During the Interim Health Care Committee hearings, we did not have any indication that there was any expeditious way that this was being done, which is why we brought this forward.

Assemblywoman Carlton:

It is not just the processing, it is the actual credentialing of another professional. In order to address a number of these issues, you could probably incorporate boilerplate language into those boards to make sure people can get here more quickly. It has been tested, and we have used it on a number of other boards without problems.

I have some concerns about the state spending resources in supporting boards that are supposed to support themselves. If they have not raised their fees and have not asked the professionals who they regulate to pay for their boards, I have concerns. Having a professional license is a privilege in this state, and we expect them to pay for it. I have real concerns that, especially within the Division of Public and Behavioral Health, those dollars are few and far between and they are needed in five different places at the same time. I would be very apprehensive of using state dollars to support these boards. If they are not charging enough at the boards, it is the boards' responsibility to make sure they are revenue neutral and they get the appropriate fees from their licensees. I want to make sure that we are not opening the gate to state support of professional licensure.

Chair Bustamante Adams:

You can continue that discussion outside of this hearing.

Assemblywoman Jauregui:

In section 3 you are going to require that new board members complete an orientation within 60 days. Would that apply to current board members? In section 6, is there a current appeals process?

Assemblyman Oscarson:

We heard through the Interim Committee that there was not a process. The only process for them was to go to district court to appeal unjust or unfair disciplinary actions. That is why we felt this was an important piece to be able to circumvent that court process. That would save money for both parties. We thought this would be a process to avoid having to use the courts. I had not thought about the current board members being required to complete the orientation. I do not have any opposition to that. I do not think it was discussed with the current boards. It could be done in a group aggregate meeting, and I have no objection to that.

Chair Bustamante Adams:

Seeing no other questions, I will move to those in opposition. [There were none.]

[Jim Jobin, Licensed Clinical Professional Counselor and Licensed Clinical Alcohol and Drug Counselor submitted a proposed amendment to A.B. 457 ([Exhibit BB](#)).]

Are there any to speak in support of A.B. 457?

Helen Foley, representing Nevada Association for Marriage and Family Therapy:

We strongly support this legislation. As we see more and more bills coming forward for endorsement, we know that we need more mental health professionals in the state. The problem is, once we put all of the new people coming in from out of state in front of all of the people who are graduating and finishing internships in Nevada, it pushes all of our people to the back of the line. It is true that our fees are very low and have not been increased since the 1980s. There have been policies by many of our governors that they did not want to increase fees. It is important to have some backstop before going to court if you have a dispute. We think this is a very good way to do this.

Merlelynn Harris, President, Nevada Association for Marriage and Family Therapy:

I agree with Helen Foley's comments. Our fees have not increased, but due to the financial challenges that our board has had, that has led to staffing challenges to the Board of Examiners. The backlogging of having qualified mental health providers in southern Nevada has been an ongoing challenge. I am in full support of A.B. 457. Change needs to happen.

Lynne M. Smith, Clinical Director, University of Phoenix; and President, Nevada Counseling Association:

I have an issue with section 32, subsection 1, paragraph (f) that directs the committee to select from a list of three candidates from the Nevada Association for Marriage and Family Therapy. Our Board represents two professional licenses which are clinical professional counselors and marriage and family therapists. The Nevada Association for Marriage and Family Therapy is not the appropriate body to suggest these candidates.

Joelle Gutman, Private Citizen, Reno, Nevada:

I have a master's degree in social work and, until recently, was a licensed social worker under the Board of Examiners for Social Workers. I chose not to renew my license in December 2016 because, after numerous negative interactions with the Board, I could not bring myself to pay a Board that I feel does not help, but hinders, the practice of social work in our state. After attempting to recertify this spring, I cannot emphasize enough the importance of this bill. I am here today to support A.B. 457 and appreciate the sponsors for giving this issue the attention it needs.

The Board of Examiners for Social Workers is sorely in need of oversight and accountability and needs to be reminded that the Board is to govern and protect the public as well as its licensees. Nevada has an incredible and urgent need for mental health providers and social service workers. As social workers, we need a board that incubates the growth of the profession. Since 2012, every encounter I have had with the Board has been negative. I have experienced an unwillingness from them to be helpful and answer questions, lengthy waits for licensure that have caused financial hardship and professional gridlock, and an overall sense of reluctance to grant me licensure.

Joan Hall, President, Nevada Rural Hospital Partners:

Our rural hospitals, especially in the border areas of Ely and Caliente, have great difficulty recruiting social workers. They found some in Utah and, in dealing with the Board of Examiners for Social Workers, have encountered many difficulties getting social workers licensed in Nevada. We are very supportive of this bill.

Chair Bustamante Adams:

We will move to those in neutral.

Bryan Gresh, representing Nevada Psychological Association:

We do not oppose the bill and are here because our members like their board, the Board of Psychological Examiners. The Board and the psychologists in the field have had a fairly successful give and take over the years. We understand the reason behind this bill, but we are happy with our Board.

Agata Gawronski, Executive Director, Board of Examiners for Alcohol, Drug and Gambling Counselors:

The Board is neutral because we have not been able to have a meeting yet to vote on this bill. We have been working with Cody Phinney and other stakeholders on the bill.

Colleen Platt, Counsel, Board of Examiners for Alcohol, Drug and Gambling Counselors:

We do have an endorsement which was established by Senate Bill 68 of the 78th Session as well as a licensure by endorsement for veterans throughout all of the chapters you see before you today in the bill. In regard to the reporting requirements, NRS Chapter 622 requires certain information to be reported and authorizes the boards to report other information. Currently, license applications are not an appealable decision by the board to the district court. There is a Supreme Court case that provides that as well as some language in NRS Chapter 233B. With regard to disciplinary action, there is a 30-day window whereby someone who has been aggrieved by a decision by a board may appeal it to the district court through a petition for judicial review.

Assemblywoman Carlton:

What are your endorsement criteria?

Colleen Platt:

In the statute, it requires that if you are licensed in another state, you can submit an application by endorsement. There are requirements that you submit fingerprints and information about other licenses in other states. The applicant has to be in good standing in the other states. The board is required to review that application within a certain period of time. If additional information is needed, the board is required to request that information from the applicant. The board is required to make a decision within 45 days of receipt of the application or after the fingerprint checks have come back.

Assemblywoman Carlton:

The fingerprints seem to be one of the difficulties. Is there any component of that endorsement that we put in the credentialing language that takes into consideration the amount of time the person has been practicing?

Colleen Platt:

I do not believe that language is specific from that bill. There may be some additional language in the regulatory sections of the various boards to frame out some of that, but that is part of the review process.

Assemblywoman Carlton:

That is the way we found to allow people to get into the other professions who had already been practicing in another state. At least the fingerprint checks are a lot faster now than they were a couple of years ago.

Agata Gawronski:

We do have a provisional license that is good for six months. It is in the hands of the applicant how soon they are going to get licensed. If the application is submitted and all of the documentation is in place and the fees are received, the turnaround can be as quick as ten days.

Sara Hunt, Director, Mental and Behavioral Health Coalition, University of Nevada, Las Vegas:

Our coalition is a multidisciplinary faculty group that has come together to work on workforce development, especially in the area of mental health in the state of Nevada. I am here to provide neutral testimony. We appreciate the collaboration and working together that the Division of Public and Behavioral Health and the boards have been doing. On our campus, we try to connect our future graduates with the different boards by having the boards present on licensing requirements. We look forward to that continued relationship, and we want to make ourselves available to any further work to be done in workforce development in the area of mental health, as we see the universities have a big role in that area.

Morgan Alldredge, Executive Director, Board of Psychological Examiners:

We submitted our neutral testimony ([Exhibit CC](#)) with an additional handout ([Exhibit DD](#)) prior to this meeting. Additionally, we do have multiple professional certificates and 20-year licensure that leads to expedited licensure through our board.

Assemblywoman Carlton:

Do you have the credentialing language that was discussed earlier?

Morgan Alldredge:

We do have the endorsement language that was placed in our statutes last session. Our Board has a subcommittee that is going through each jurisdiction in the United States and Canada to see who aligns with our requirements.

Assemblywoman Carlton:

We require them to be substantially equivalent so you have to be able to analyze each jurisdiction to make sure you only allow those jurisdictions. Are you in that process now?

Morgan Alldredge:

Yes.

Paula Berkley, representing Board of Examiners for Social Workers:

The Board of Examiners for Social Workers has many challenges, and we need to make improvements in many of the legislative intentions. The Board has authorized through board action the purchase of equipment that will fully automate the Board. They have restructured Board processing and leadership so they might become more transparent and customer-oriented. They have hired additional investigators so the processing of discipline can be faster. We have proposed a number of options to improve the licensing structure across the state by including the behavioral health boards and have been talking about better utilization of the Sunset Subcommittee. The four boards have met together to propose the amendments. We support the amendments because we think we can flourish under them.

Sandy Lowery, Interim Executive Director, Board of Examiners for Social Workers:

At the end of the 2015 Legislative Session, we were incorporating into our language the process for expediting endorsed licenses for individuals who have five years or more experience and who are currently clear in their practice. They are able to be endorsed in a much quicker manner. They do not need to meet a substantial equivalent standard. For individuals who have less than five years, we have a substantial equivalent requirement that they are able to demonstrate that their process was similar to what we require in Nevada. We have created a new licensure category, which is our "Provisional C." That Provisional C allows for an individual who is licensed in another state in good standing, passes a background check, et cetera, to immediately be licensed. They have a year to provide us with the additional documentation that we need to support their endorsed license.

Assemblywoman Carlton:

When was the last time you raised your fees?

Sandy Lowery:

We attempted to raise the ceiling of our fees in the 2015 Legislative Session. That met with a lot of noes from both licensees and individuals. That was in part due to some poor communication on the part of the board to our licensees about what our intent was. We are at the maximum ceiling that we have available to us now.

Assemblywoman Carlton:

Since I have been in this building, fees have always been a problem. I have always had a problem with having the two-thirds note on a fee. A fee is for a licensee who wants to carry a license in this state. It is not a tax. It is not imposed. It is a choice to pay. That two-thirds moniker on a fee really ties the hands of our boards in being able to move into the twenty-first century and do these types of things, because people are afraid to vote for resources to get the job done. That is why I am frustrated when the conversation is about the state helping with that. It is hard enough for us to find the money to help our constituents and patients in this state, much less fund our boards. There are a lot of boards that will come forward, and they educate their membership. Their membership wants to pay the fees because they want to have a good board that is moving into the next century.

[Lisa M. Linning and Melanie Crawford, Legislative Co-Chairs, Nevada Psychological Association, submitted a letter in the neutral position to A.B. 457 ([Exhibit EE](#))]

Chair Bustamante Adams:

Are there others in the neutral position? Seeing none, there are additional conversations to be had, so I would ask that the concerned parties speak directly to the sponsor and the sponsor to speak directly to the members. I will close the hearing on A.B. 457. Is there anyone here for public comment? [There was no one.] This meeting is adjourned [at 3:56 p.m.].

RESPECTFULLY SUBMITTED:

Earlene Miller
Committee Secretary

APPROVED BY:

Assemblywoman Irene Bustamante Adams, Chair

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

[Exhibit B](#) is the Attendance Roster.

[Exhibit C](#) is a proposed amendment to [Assembly Bill 262](#) presented by Jon Sasser, Statewide Advocacy Coordinator, Legal Aid Center of Southern Nevada.

[Exhibit D](#) is the Work Session Document for [Assembly Bill 12](#), dated April 12, 2017, presented by Kelly Richard, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit E](#) is the Work Session Document for [Assembly Bill 83](#), dated April 11, 2017, presented by Kelly Richard, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit F](#) is a letter, dated April 6, 2017, regarding [Assembly Bill 83](#) submitted by Nick J. Stosic, Insurance Regulation Liaison, Division of Insurance, Department of Business and Industry.

[Exhibit G](#) is the Work Session Document for [Assembly Bill 458](#), dated April 11, 2017, presented by Kelly Richard, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit H](#) is the Work Session Document for [Assembly Bill 267](#), dated April 12, 2017, presented by Kelly Richard, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit I](#) is the Work Session Document for [Assembly Bill 328](#), dated April 12, 2017, presented by Kelly Richard, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit J](#) is the Work Session Document for [Assembly Bill 425](#), dated April 11, 2017, presented by Kelly Richard, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit K](#) is the Work Session Document for [Assembly Bill 454](#), dated April 11, 2017, presented by Kelly Richard, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit L](#) is the Work Session Document for [Assembly Bill 165](#), dated April 12, 2017, presented by Kelly Richard, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit M](#) is the Work Session Document for [Assembly Bill 194](#), dated April 12, 2017, presented by Kelly Richard, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit N](#) is a letter to Chair Bustamante Adams from Steven Burt, Chair, Nevada Behavioral Health Association, dated April 11, 2017, in a neutral position to [Assembly Bill 194](#).

[Exhibit O](#) is a letter to Chair Bustamante Adams from Trey Delap, Director, Group Six Partners, dated April 12, 2017, in opposition to [Assembly Bill 194](#).

[Exhibit P](#) is the Work Session Document for [Assembly Bill 199](#), dated April 10, 2017, presented by Kelly Richard, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit Q](#) is the Work Session Document for [Assembly Bill 339](#), dated April 11, 2017, presented by Kelly Richard, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit R](#) is the Work Session Document for [Assembly Bill 175](#), dated April 11, 2017, presented by Kelly Richard, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit S](#) is a letter to members of the Assembly Committee on Commerce and Labor from Eva Medina, Program Manager, Consumer Direct Care Network Nevada, dated April 11, 2017, in opposition to [A.B. 175](#).

[Exhibit T](#) is a statement from Michael DiAsio, President, Visiting Angels; and Board Member, Personal Care Association of Nevada in opposition to [A.B. 175](#).

[Exhibit U](#) is the Work Session Document for [Assembly Bill 223](#), dated April 11, 2017, presented by Kelly Richard, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit V](#) is the Work Session Document for [Assembly Bill 431](#), dated April 12, 2017, presented by Kelly Richard, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit W](#) is a proposed amendment to [Assembly Bill 468](#) submitted by Nevada Mortgage Lenders Association.

[Exhibit X](#) is a letter dated April 6, 2017, to Chair Bustamante Adams and members of the Assembly Committee on Commerce and Labor, in opposition to [Assembly Bill 468](#), from Darren K. Proulx, Chair, Advisory Council on Mortgage Investments and Mortgage Lending.

[Exhibit Y](#) is written testimony presented by Assemblyman James Oscarson, Assembly District No. 36, regarding Assembly Bill 457.

[Exhibit Z](#) is a proposed amendment to A.B. 457, dated April 12, 2017, submitted by the Department of Health and Human Services (DHHS).

[Exhibit AA](#) is a conceptual amendment to A.B. 457 presented by Assemblyman James Oscarson, Assembly District No. 36.

[Exhibit BB](#) is a proposed amendment to A.B. 457 dated April 9, 2017, submitted by Jim Jobin, Licensed Clinical Professional Counselor and Licensed Clinical Alcohol and Drug Counselor.

[Exhibit CC](#) is written testimony regarding A.B. 457, dated March 12, 2017, submitted by Morgan Alldredge, Executive Director, Board of Psychological Examiners.

[Exhibit DD](#) is a document titled, "State of Nevada Board of Psychological Examiners: Making strides to pave the path to licensure of qualified professionals" regarding A.B. 457, submitted by Morgan Alldredge, Executive Director, Board of Psychological Examiners.

[Exhibit EE](#) is a letter dated April 6, 2017, to Chair Bustamante Adams and members of the Assembly Committee on Commerce and Labor, submitted by Lisa M. Linning and Melanie Crawford, Legislative Co-Chairs, Nevada Psychological Association in neutral to A.B. 457.