

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

**Seventy-Ninth Session
May 31, 2017**

The Committee on Health and Human Services was called to order by Chairman Michael C. Sprinkle at 1:04 p.m. on Wednesday, May 31, 2017, in Room 3138 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4406 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:

Assemblyman Michael C. Sprinkle, Chairman
Assemblywoman Amber Joiner, Vice Chair
Assemblywoman Teresa Benitez-Thompson
Assemblyman Richard Carrillo
Assemblyman Chris Edwards
Assemblyman John Hambrick
Assemblyman William McCurdy II
Assemblywoman Brittney Miller
Assemblyman James Oscarson
Assemblyman Tyrone Thompson
Assemblywoman Robin L. Titus
Assemblyman Steve Yeager

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

Senator Joyce Woodhouse, Senate District No. 5
Senator Pat Spearman, Senate District No. 1
Senator Heidi S. Gansert, Senate District No. 15
Senator Tick Segerblom, Senate District No. 3
Senator Yvanna D. Cancela, Senate District No. 10



STAFF MEMBERS PRESENT:

Marsheilah Lyons, Committee Policy Analyst
Mike Morton, Committee Counsel
Kailey Taylor, Committee Secretary
Trinity Thom, Committee Assistant

OTHERS PRESENT:

Jared Busker, Policy Analyst, Children's Advocacy Alliance
Janine Hansen, State President, Nevada Families for Freedom
Ella Philander, Director of Autism Services and Northern Early Intervention,
Easter Seals Nevada
Jon Sasser, representing Legal Aid Center of Southern Nevada; and Washoe Legal
Services
Steven Cohen, Private Citizen, Las Vegas, Nevada
Ken MacAleese, Member, Nevada Association for Behavior Analysis
Shannon Sprout, Deputy Administrator, Division of Health Care Financing and
Policy, Department of Health and Human Services
Rocky Finseth, representing Adam's Place, Las Vegas, Nevada
Kelly Thomas Boyers, President and Co-Founder, Adam's Place, Las Vegas, Nevada
John Fudenberg, Coroner, Government Affairs, Office of the Coroner/Medical
Examiner, Clark County, Nevada
Mendy Elliot, representing the Nevada Osteopathic Medical Association
Joanna Jacob, representing Dignity Health-St. Rose Dominican, Henderson, Nevada
Shane Piccinini, Government Relations, Food Bank of Northern Nevada; and Three
Square
George Ross, representing Hospital Corporation of America, Inc.; and Sunrise
Hospital and Medical Center
Stacey Shinn, representing Progressive Leadership Alliance of Nevada; and the
Nevada Immigrant Coalition
Caroline Mello Roberson, representing NARAL Pro-Choice Nevada
Alanna Bondy, Intern, American Civil Liberties Union of Nevada
Tess Opferman, representing Nevada Women's Lobby
Elisa Cafferata, Director of Government Relations, Nevada Advocates for Planned
Parenthood
Michael Hackett, representing Nevada Public Health Association
Bobbette Bond, representing Unite Here Health

Chairman Sprinkle:

[Roll was called. Committee rules and protocol were explained.] It is vitally important that we get through these hearings as quickly as possible. Please keep your testimony short and to the point. If you are being redundant at all, I will cut you off because we do not have the time. There is so much going on today. Do not take it personally. We will open the hearing on Senate Bill 189 (1st Reprint).

**Senate Bill 189 (1st Reprint): Revises provisions relating to child care facilities.
(BDR 38-61)**

Senator Joyce Woodhouse, Senate District No. 5:

I am here to present Senate Bill 189 (1st Reprint) for your consideration. Some of you may have seen me anxiously looking at the door because Senator Spearman is on her way as well. Part of this bill has portions in it that she placed in this bill. This measure revises training requirements for employees working in child care facilities. Research shows the importance of both training and education for child care providers. High-quality continued training and education is essential to protecting children's health and safety and promoting their growth and development. In fact, studies show that the quality of care improves as training and education increases.

Currently, individuals employed in a child care facility in Nevada, other than those facilities that provide care for ill children, are required to complete 15 hours of training annually if a facility provides care for more than 5 children but less than 12 children. They must also complete 24 hours of training annually if the facility provides care for more than 12 children. At least two hours of this training must be devoted to lifelong wellness, health, and safety of children.

Senate Bill 189 (1st Reprint) revises these provisions to require every employee of a child care facility, except facilities that provide care for ill children, to complete 24 hours of training annually, regardless of the number of children in its care if a facility receives compensation for any of those children. In addition, every employee of a child care facility is required to complete an additional two hours of training on recognizing and reporting child abuse and neglect. This area of the statute also includes child endangerment. The bill requires an employee at a child care facility to be present whenever an independent contractor is performing services at a child care facility and a child is present. While this measure was in the Senate, we added other provisions to the bill. I hope Senator Spearman will be here to address those issues.

In conclusion, S.B. 189 (R1) takes another step forward in ensuring that children who are being cared for in a child care facility have well-trained and qualified individuals who are providing care. Every mother, father, grandparent, or guardian deserves to know that their children are safe when they leave them in the care of others. With your indulgence, I will ask Jared Busker to address some areas of this bill as well.

Jared Busker, Policy Analyst, Children's Advocacy Alliance:

I wanted to thank Senator Woodhouse for working with us on this legislation. Senate Bill 189 (1st Reprint) provides additional safety and quality training requirements for all child care providers. This training helps ensure that Nevada's children are safe and receive the educational benefits that high-quality care provides. The bill also extends protections for children by not allowing outside contractors or individuals without a background check to be left alone with children in the facility. With the passage of this legislation, we believe that our children attending child care in Nevada will receive safer and higher-quality levels of care.

Chairman Sprinkle:

I am not sure where Senator Spearman is, so we will open up for questions right now.

Assemblywoman Miller:

I see it requires training on reporting abuse. Those two hours of training are in addition to the hours of training already required. Is that training provided onsite? Where would they obtain those two hours?

Senator Woodhouse:

This is one of the issues that we had an opportunity to learn about during the interim, because I had a similar bill last session. Most of the child abuse training that we are requiring is done online. There are classes available in person, but when we met with those facility owners, their employees were taking them online. We are thrilled to have that opportunity; it makes it a lot easier for everyone.

Chairman Sprinkle:

We will open up for supportive testimony. Is there anyone in support of this bill? [There was no one.] Is there anyone in opposition?

Janine Hansen, State President, Nevada Families for Freedom:

Under section 2, this training is now being applied to people it has never been applied to in the past. That would be those furnishing care to fewer than five children. This is a problem for young families who may be supplementing their income by the mother taking care of children. They might only have one baby, or others. This is not something that has been done in the past. I do not know that we have been given any evidence that this is a dangerous situation. You may have a neighbor, grandmother, or someone else taking care of your children. Would they be subject to this particular requirement to have training? I think this will be a hardship on families who are trying to supplement their income by taking care of a couple of children. I am not concerned about the rest of the bill nearly as much as this section that creates a hardship. It never had those requirements in the past.

Chairman Sprinkle:

Is there anyone else in opposition? [There was no one.] Is there anyone neutral to the bill? [There was no one.] That is perfect timing because the Senator just walked in. We are about to close out the bill, but you can say any closing comments, Senator Spearman.

Senator Pat Spearman, Senate District No. 1:

Currently, the *Nevada Revised Statutes* requires the Chief Medical Officer or his or her designee to conduct an annual inspection of a child care facility to insure compliance with standards for health and sanitation. Section 7.2 of this bill expands the scope of this inspection to include the enforcement of laws and regulations concerning the health, safety, and welfare of children in the care of the facility. Section 4.2 of the bill requires the Division of Child and Family Services, Department of Health and Human Services, to establish by regulation a rating system that assigns a letter grade to a facility based on such an inspection. The grade must be posted on the Division's website and in a conspicuous place near each entrance of the facility that is regularly used by the public. Currently, the Division may deny, suspend, or revoke a license to operate a child care facility upon finding a violation by an applicant, licensee, or employee of an applicant or licensee of any applicable law or regulation.

Senate Bill 189 (1st Reprint) builds on existing law in sections 4.5 and 4.7, authorizing the Division to impose certain administrative sanctions against a licensee who violates any law or regulation related to the licensure of a child care facility. In addition, section 7.8 requires the Division to issue a cease and desist order to a facility without a license before bringing an action to enjoin the person or governmental agency from operating a child care facility without a valid license. If the court finds that a person or governmental entity is operating a child care facility without a valid license, the court may impose a civil penalty in addition to issuing an injunction.

Finally, under current law, the Legislative Auditor may inspect, review, and survey facilities for children which have physical custody of children pursuant to the order of a court. If the Legislative Auditor concludes that such a facility has deficiencies in policies and procedures that would be detrimental to the health, safety, or welfare of children in the care of the facility or violate the rights of such children, section 8.5 of this bill requires the Legislative Auditor to provide a copy of that report to the entity responsible for licensing the facility or if a facility is not required to obtain a license through the Division of Child and Family Services. If the facility is a child care facility governed by the *Nevada Revised Statutes* (NRS) Chapter 432A, section 8.7 requires the licensing entity to conduct follow-up reviews and provide notices of its findings to the Legislative Auditor, and in certain circumstances, to governmental agencies that place children in the facility and to the public.

This is a really good bill. I was not here for the entirety of the hearing, so I am not sure what was said. We talk a lot about how we value our children and what things would be appropriate for a child. We have certain parameters on a number of different things with respect to children. This is a good bill because it protects our future. It protects one of the most vulnerable demographics in our state. I think that voting no is not an option. The rating system is necessary. We are doing it in another bill. I often relate it to when you go to a restaurant. You want to see the letter grade and know they got an A. If there is not an A, most of the time, you turn around and walk out. Why should facilities that have our children, health care and otherwise, not have inspectors come into their place of business? Why should we not know their rating as well? I hope you will vote yes.

Chairman Sprinkle:

Thank you for making it up here before we closed the hearing. We will close the hearing on Senate Bill 189 (1st Reprint). I will open the hearing on Senate Bill 286 (2nd Reprint).

Senate Bill 286 (2nd Reprint): Revises provisions governing the regulation of applied behavior analysis. (BDR 39-633)

Senator Heidi S. Gansert, Senate District No. 15:

It is well established that early intervention is critical for children with autism and other behavioral issues. Getting service to preschool-aged children by qualified providers is a matter of urgency, and right now, we lack providers. Simply put, we have over 500 children who are eligible for care, but who are on a waiting list. Medicaid funds are available for reimbursement, but we have a lack of providers for that care. We have a pipeline problem with shortages from the lowest level of providers who are supervised care extenders to the master's and Ph.D.-level behaviorists. Because the small window of time during which the impact of a child's life is greatest, we must act now.

Currently, there are several levels of providers eligible for Medicaid reimbursement in the state of Nevada. You should have a diagram that will help you understand what we have ([Exhibit C](#)). At the top, you will see our Board Certified Behavior Analysts. The next level is a Board Certified Assistant Behavior Analyst, then the behavior interventionist, and a registered behavior technician. There are four levels here with one that is to be determined. That one is marked in yellow. All three levels that are in green provide care and are eligible for Medicaid reimbursement. Behavior interventionists are providing care. While we have three types that are already approved and being reimbursed, there are other folks who are providing care who are not registered or Board certified; they are called behavior interventionists. From providing care to supervision, many have the intent of becoming a registered behavior technician (RBT), but they did not complete the process to get that RBT designation.

Aging and Disability Services Division, Department of Health and Human Services, has provided funding for many of those who have trained to get RBTs, but typically, when someone does get that certification, they are swept up by the private sector to take care of children who have private insurance. Right now, we do have RBTs who are licensed through the Board of Psychological Examiners, but we have an opportunity to potentially add one more. This legislation and conceptual amendment ([Exhibit D](#)) would create a new board that has discretion to establish standards of care and criteria for a new category, which would be called the state certified behavior interventionists with the goal of making that provider also Medicaid reimbursable. The field is large enough and demand is strong enough to have a board with full attention toward behaviorists. Time is of the essence. A new board would be able to establish the standards for the state certified behavior interventionists via regulations to expedite licensure, registration, and to maximize use of available Medicaid funds. This bill also allows the Board to license or endorse to expedite new providers who have a license in another state. [([Exhibit E](#)) was submitted as additional testimony.]

Chairman Sprinkle:

Would you be willing to take a couple of minutes to touch on your amendment since it is just in conceptual form ([Exhibit D](#))? Committee, you will find that on the Nevada Electronic Legislative Information System (NELIS).

Senator Gansert:

I have two amendments. I worked extensively with providers to come up with those amendments. One is to expand the exemptions for those who do not have to be licensed through the new Board. Those are highlighted in red. Those are the individuals who provide academic services such as tutoring and structural design, curriculum production, assessment research and design, test preparation, or individuals who conduct academic research as a primary job responsibility. That is the first one under section 12.3.

Under section 13.3, we changed the composition of the Board. It still has five board members, but there are not very many assistant behavior analysts. We think there are probably five or six in the state. So, what we have done is made the composition four behavior analysts and one public member, and we deleted the administrator. So, we have changed the composition and deleted the administrator who was a nonvoting member, so it still has five members.

Chairman Sprinkle:

Committee, are there any questions on S.B. 286 (R2)? [There were none.] Is there anyone here in support?

Ella Philander, Director of Autism Services and Northern Early Intervention, Easter Seals Nevada:

Our Chief Executive Officer, Brian Patchett, asked that I let everyone know he is not in attendance as his son is graduating from the Air Force Academy today. We would like to thank Senator Gansert and all that have supported S.B. 286 (R2). This bill is a great beginning to addressing the need for services for the thousands of families impacted by autism in Nevada. It opens the gate to allowing providers to recover some of the costs that go into getting new services certified. On behalf of Easter Seals, we support S.B. 286 (R2).

Jon Sasser, representing Legal Aid Center of Southern Nevada; and Washoe Legal Services:

I am also the legislative chair on the Nevada Commission on Services for People with Disabilities. The Commission endorsed this bill. We have a tremendous work shortage for these individuals who help children with autism. It has been a real struggle getting those who are in our state to work either with the Autism Treatment Assistance Program (ATAP) population through the Aging and Disability Services Division, or with the Medicaid population. Medicaid will not recognize payment for the time of interventionists until they have been hired, trained, and on staff for a long period of time and are an RBT. This bill will have a board that is made up of interventionists focused only on this particular vocation and will be housed in an agency that really cares about expanding the work force as a priority. As the Senator said, we appropriated about \$42 million in Medicaid to spend on autism

treatment in the last biennium. We are going to spend about \$3 million at best. A major part of that problem is the lack of people who will take Medicaid and can buy these services. This is a very important step forward, and I urge your support.

Chairman Sprinkle:

Is there anyone else in support either here or in southern Nevada? [There was no one.] Is there anyone in opposition to this bill? [There was no one.] Is there anyone neutral to this bill? We will start in southern Nevada.

Steven Cohen, Private Citizen, Las Vegas, Nevada:

I was curious whether the Committee received the Nevada Commission on Autism Spectrum Disorders' letter ([Exhibit F](#)). We had some concerns. Some were addressed in the amendment, but we are more than willing to work on the rest. [([Exhibit G](#)) was submitted as additional testimony.]

Chairman Sprinkle:

Is there anyone in northern Nevada in neutral?

Ken MacAleese, Member, Nevada Association for Behavior Analysis:

I wanted to thank Senator Gansert and Dr. Edward Ableser for working on the conceptual amendments to S.B. 286 (R2). They are helpful at reducing some of the concerns that the behavioral analysts have had. I want to let the Committee know that while I have given many testimonies in opposition to this bill, getting me to neutral took a lot of effort from Senator Gansert and Dr. Ableser. At this stage, there is really only one concern left, and I am not sure that concern is one that renders an oppositional statement. It is just in sight of any issue that the agency in Aging and Disability Services Division that pays many behavior analysts to provide services to children with autism through ATAP. If there is any role for concern, then maybe the Assembly Committee on Health and Human Services is the perfect committee to look at this and consider whether there is any concern with any conflicts of interest with an agency who pays us to work with children with autism while also regulating the practice of the field and having the ability to say if a person can work or not. [([Exhibit H](#)) was submitted as additional testimony.]

Shannon Sprout, Deputy Administrator, Division of Health Care Financing and Policy, Department of Health and Human Services:

We are neutral on this bill and have worked with the sponsors to identify that the registered behavioral technicians would also still be under the Behavior Analyst Certification Board, so it would meet the Medicaid requirements for reimbursement.

Chairman Sprinkle:

Is there anyone else neutral to this bill? [There was no one.] Senator, do you have any closing comments?

Senator Gansert:

Concerning the board, the board is actually independent. It would be staffed by the Aging and Disability Services, but the board would actually receive independent funding in a separate General Fund account to fund its operations. While the Aging and Disability Services Division will help staff it, I did take the administrator off the board, so the board can act independently with peers.

Assemblywoman Benitez-Thompson:

I apologize for coming into the meeting late. I had a question about the structural piece. This will be staffed by the Aging and Disability Services Division, but I also see the language about the board component. I think it is in the amendment in section 13.3, there would be four licensed behavior analysts and one public person on the board, but then the board is staffed by the Aging and Disability Services Division. Who actually makes the decisions about who is licensed? Is it the board? Are they serving as an actual regulatory board of the licensees?

Senator Gansert:

The board would serve as the entity that would approve licenses or take actions around licenses. The Aging and Disability Services Division would provide the staffing. I did take off the administrator because there seemed to be some folks who did not want that crossover, even though it was a nonvoting member.

Assemblywoman Benitez-Thompson:

Would this be a new model in Nevada—to have a state agency staffing a licensing board?

Senator Gansert:

It may be. I am not sure because I do not know all of the boards inside and out.

Assemblywoman Benitez-Thompson:

Having sat on the Legislative Commission for years, I am always worried about the fee. Are there fees involved?

Senator Gansert:

There will be fees that are set by the Board. Right now, the behaviorists are licensed through the Board of Psychological Examiners. Section 65 is taking them out of the Board of Psychological Examiners.

Assemblywoman Benitez-Thompson:

So, what is their licensing fee structure?

Senator Gansert:

I do not think it is delineated in the bill. It speaks to the Board creating the fee structure through regulations.

Assemblywoman Benitez-Thompson:

So, is the goal that at some point it would be self-supporting? Over the biennium, they would get regulations passed, and as they set up their fees, they would at some point become a self-supporting board.

Senator Gansert:

The intent is for them to become a self-supporting board, and the funding is set aside in a separate General Fund account, so those fees can be used to fund the Board.

Chairman Sprinkle:

It was just pointed out to me that section 61, which is current statutory language, does address the fees. Looking at the history of this bill, was this already vetted in the Senate Committee on Finance?

Senator Gansert:

Yes, it was.

Assemblywoman Benitez-Thompson:

As I look at section 61, I see the complete set of fingerprints and the other tasks boards do. So, would the only fee be around fingerprints? What I was getting to was that the Board would have to come through the Legislative Commission to establish a fee structure if it is not in statute.

Senator Gansert:

That is correct. I think section 16, subsection 2, talks about it being a fee-funded board. Since I did not walk through the bill, the individuals who are certified as behavior analysts, assistant behavior analysts, and the registered behavior technicians are all certified through a national board that does background checks. This bill requires that a state interventionist would also get a background check. They would be put on a six-year cycle. Even if he or she gets a background check when they are originally licensed or certified, they are still on a six-year cycle.

Assemblywoman Benitez-Thompson:

Is that a renewal cycle?

Senator Gansert:

No, the renewal cycle is a two-year cycle. However, at every third renewal a background check process would be done again. I think that is under section 22. It is a lengthy bill.

Assemblywoman Benitez-Thompson:

Senator Ford's bills have never been my bailiwick, and the ones I have dealt with have never been easy, to say the least. However, I have learned that asking about fees and fee structures and renewal fees and timelines is important. Then we have on the record that the goal is for them to become self-sustaining, but we will start with the Department because that would be a departure from the way we run any other board.

I think that plays into a bigger conversation about the state oversight of licensing boards, and how much we are in the middle of that. As long as it is temporary to get everything going and get the folks reimbursable by Medicaid and licensed appropriately for that reimbursement, that makes sense. I think it would be a different conversation if we were having the Division always staffing it. I imagine that after the first year, once they get regulations in place and they start to collect fees, there will be a threshold where they know they can hire their own staff, and we would have an idea of how many licensees are applying.

Senator Gansert:

Thank you. Also, section 25 has the language regarding background checks at every third renewal.

[([Exhibit G](#)) was submitted but not discussed.]

Chairman Sprinkle:

Thank you. I will close the hearing on S.B. 286 (R2). We are going to open the hearing on Senate Bill 355 (1st Reprint).

Senate Bill 355 (1st Reprint): Increases the fee for a certificate of death to fund grief support services. (BDR 40-114)

Senator Tick Segerblom, Senate District No. 3:

My committee is in a work session; I would appreciate it if I could give a brief presentation and then go back to my committee.

Chairman Sprinkle:

Yes. I appreciate your being here.

Senator Segerblom:

Senate Bill 355 (1st Reprint) is a very simple bill. It provides for a 50-cent tax on death certificates that would go to a grief fund to be accessible for nonprofits that have grief support for children when their parents or siblings die. In 2007, there was an intern working for former Senator Michael Schneider at the time who died in a car accident in Reno. His mother, as part of her grieving process, created a nonprofit in Las Vegas called Adam's Place. That is the genesis of this bill. She came to me and asked if we could have some type of sustaining fund for these nonprofits who do fundraising as well. They would like to have some sort of revenue because there is really no agency that deals with this problem—with children whose parents or siblings have died. We brought this bill forward.

The state has been very good at working with us. They are going to create a trust fund, and there is money in the state account that is going to pour into that. This bill would generate about \$60,000 a year, but you would have to apply for the money. I know there is a nonprofit that does similar work in Reno that can qualify for this money as well. I think it is a very admirable bill. It is a great service that they provide. This passed unanimously in the Senate, so I would hope you would give this great consideration.

Rocky Finseth, representing Adam's Place, Las Vegas, Nevada:

Adam's Place is a nonprofit organization based in southern Nevada. Adam's Place focuses on grieving children who have lost a parent or sibling by offering grief counseling. Adam's Place is considered a child bereavement center and really covers an unmet need in the south, which is to support services to provide children with coping skills in order to help these children make positive, healthy choices and realign and redefine what success means to allow them to move forward in what is a very difficult time in their lives. As Senator Segerblom said, in the north, Solace Tree offers very similar services.

On behalf of Adam's Place, let me thank Senator Segerblom for bringing the bill. I will walk you through the bill very quickly. Section 2 of the bill creates a grief support trust fund. The funds in the account are to be used for grief support services for children who have experienced the loss of a relative or other person who had a significant emotional relationship with the child. Such grief services may also be provided to parents and adult caregivers who have experienced the loss of a child. The fee for the fund will be assessed as outlined in section 5 of the bill; that is a 50-cent charge on every death certificate issued in the state, and the funds raised will be placed into this account. Grants from the funds will be handled by the Department of Health and Human Services through their Grants Management Advisory Committee. Organizations like Adam's Place and Solace Tree are but two of a number of organizations who would likely meet the criteria outlined in section 5.

Two things brought me to this issue. I remember Adam Thomas from when he worked here in the building. He was a fine young man with a very bright future. He was taken from his family and the family here at the Legislature far too soon. I was also approached by a young lady named Peyton Barsel. She and my son attend the same school. Tragically, she lost her father to a heart attack several years ago at a very young age; he was about 45 years old or so. In speaking to her mom about this issue, she asked for some help in getting this bill through the Legislature. In the south is Adam's mom, Kelly Thomas Boyers, who is available to answer any questions the Committee may have. During our hearing in the Senate, there were a number of volunteers and families from both Adam's Place and Solace Tree who did testify in strong support of the bill. I am sure many of them would love to be here today, but we know that time is short and of the essence. I am happy to answer any questions.

Chairman Sprinkle:

Ms. Boyers, did you have anything to add before we get to questions?

Kelly Thomas Boyers, President and Co-Founder, Adam's Place, Las Vegas, Nevada:

Thank you for your interest in this bill. I am testifying in support. My story started in Reno when I lost my son. We found a children's bereavement program named Solace Tree, but when we came back to southern Nevada, we could not find a program like it. We searched for a year and realized there was a great need. We know that in Clark County about

25,000 children will lose a parent this year alone. We have been working since 2009 as a children's bereavement program. We modeled our program after and work with Solace Tree. The need is great. We have a waiting list. The work is done by trained volunteers. This fund will make a tremendous difference to us because the issue itself will be raised to the public eye, and we are hoping more support will follow. Thank you very much. [([Exhibit I](#)) was submitted as additional testimony.]

Chairman Sprinkle:

Thank you for being here. We appreciate all of your comments. Committee, are there any questions?

Assemblyman Thompson:

I have a question on page 6 on line 11. It says that the nonprofit community organization has to be a member of the National Alliance for Grieving Children. After hearing the testimony from Senator Segerblom, he said it is a limited amount of money. Is there a way to get matching dollars or leveraging from this? What are the benefits of being associated with the National Alliance for Grieving Children? Is there anything extra that they bring to our state?

Kelly Thomas Boyers:

The National Alliance for Grieving Children sets best practices and evidence-based methods in regard to how to deliver peer support to children and family members. There is also an opportunity if we have paid staff to apply for funding through that organization. There are two reasons why we believe that the affiliation with the organization is important. The first is that organizations are a part of a national alliance that makes sure all programs are delivering quality services to children and the second is for funding opportunities because they are funded by New York Life Foundation. There are monies available that way.

Assemblywoman Titus:

I thank you for being here and your passion in how important it is to continue that kind of program in his memory, and not just in his memory, but doing the right thing for other citizens in the state. My question revolves around the amount of 50 cents per certificate in section 5. When someone expires, you will get multiple copies of the death certificate. Therefore, this would be per copy. Is that what I understand?

Rocky Finseth:

Yes.

Assemblywoman Titus:

Do you have any idea how many death certificates are issued now in the state? I know this is not a money committee, but we are talking about this bill creating a trust that is furnished by these 50 cents. I am wondering how much you think you might make if you go off today's statistics.

Rocky Finseth:

I believe there are representatives from the Clark County Office of the Coroner here that can help you with that as well as folks from the Department of Health and Human Services.

John Fudenberg, Coroner, Government Affairs, Office of the Coroner/Medical Examiner, Clark County, Nevada:

We believe there are about 120,000 certificates, give or take 5,000 to 10,000 per year sold, throughout the state. I know in Clark County, it is just under 90,000. I believe statewide it is right around 120,000 sold annually.

Chairman Sprinkle:

Are there any other questions? [There were none.] We will open up for testimony in support of S.B. 355 (R1).

John Fudenberg:

Since I am here, I will start. I would just like to echo the previous testimonies and let you know that there is a great need for child grief services in Clark County and throughout the state. We support this bill.

Chairman Sprinkle:

Is there anyone else wishing to come forward in support? [There was no one.] Is there anyone in opposition? [There was no one.] Is there anyone neutral to this bill? [There was no one.] Mr. Finseth, did you have any closing comments?

Rocky Finseth:

No, thank you.

Chairman Sprinkle:

We will close the hearing on Senate Bill 355 (1st Reprint). I will open the hearing on Senate Bill 325 (1st Reprint).

Senate Bill 325 (1st Reprint): Revises provisions governing medical assistance to certain children. (BDR 38-941)

Senator Yvanna Cancela, Senate District No. 10:

Senate Bill 325 (1st Reprint) takes advantage of a federal regulation under the Children's Health Insurance Program Reauthorization Act, which allows for states to opt into a program to remove the five-year waiting period for certain legally present individuals to be able to access Medicaid and Children's Health Insurance Program (CHIP) benefits. To date, 31 states have taken advantage of the program and have allowed children to enroll in CHIP and Medicaid coverage.

The bill, as amended, makes sure that children up to the age of 19 years are able to access these benefits. If there are changes in federal funding that makes a federal match no longer available and forces the state to take on the burden, the state would have the ability to make

a decision about whether or not to continue offering this coverage. The bill would give the Department of Health and Human Services the ability to cover these children through the CHIP program and ensure kids have access to the basic health care they need. This bill could literally be the difference between a child being able to get preventive care and see a doctor when they are sick with a cold before having to end up in the emergency room with pneumonia. To me, this bill addresses some of our most vulnerable children and ensures that they have the basic health care they need. With that, if it is okay with you, I have two gentlemen who are very well-versed in this bill that I will turn the presentation over to.

Jared Busker, Policy Analyst, Children's Advocacy Alliance:

In the past few years, Nevada has made significant strides in increasing the coverage of insurance for our children. Uninsured rates for all children fell from 14.9 percent in 2013 to 7.9 percent in 2015. However, uninsured rates in Nevada remain high compared to the national average of 5 percent for all children. To continue making these gains and increasing the coverage for health insurance for our children, Nevada has the opportunity to draw down federal funding to provide health coverage to lawfully residing immigrant children who are currently ineligible. In Nevada, only a very specific group of qualified immigrant children are currently eligible for public health insurance programs, specifically Medicaid and Nevada Check Up. Most children currently have to wait five years before they become eligible. The five-year wait period used to be a federal requirement; however, Section 214 of the Children's Health Insurance Program Reauthorization Act of 2009 allows states to cover lawfully residing immigrant children without the five-year wait. This bill allows the state to remove that five-year wait. We have estimated that approximately 7,000 children would be eligible to receive coverage if we were to make this change.

Jon Sasser, representing Legal Aid Center of Southern Nevada; and Washoe Legal Services:

This bill started with a \$38 million fiscal note, and after the hearing in the Senate Committee on Finance, the agency has reduced that to zero. How did that happen? Well, it happened because this is basically a program that under current law is an offer the state cannot refuse. This is a special option given to vulnerable children where the federal match is 98.84 percent; virtually 99 percent of the costs of medical services to these kids. The estimated value of those services, if every child were to sign up immediately, is \$38 million. However, if you take that 98.84 percent match, which the agency now acknowledges is the correct match; it gets it down to 1 percent. The last \$300,000 for the biennium is taken out because we have another federal law under Medicaid that if a child shows up at the emergency room, regardless of his immigration status, he has to be provided emergency room services. So, the savings in emergency room services knocks out the remaining \$300,000 that would have been our roughly 1 percent match. As a result, these 7,000 children will not just be eligible for emergency services, but the full range of medical services, which makes the odds better, if they are sitting next to your child in school, that they will not make your child sick, and they will get the services that they need. For example, if they are children with autism and need disability services, they are not going to be getting those at the emergency room, but they would be able to get them now with full Medicaid coverage. That is an offer under current law that we cannot refuse. The bill gives us an out if the law changes.

Chairman Sprinkle:

Are there any questions from the Committee? [There were none.] Thank you for your presentation. Is there anyone here in support?

Mendy Elliot, representing the Nevada Osteopathic Medical Association:

It is a privilege to be supporting this bill. I think it goes without saying that access to health care for our most precious commodity, our children, is top of the line. I know I have been in multiple hearings this session where I have heard that everyone is so careful and cautious about spending our tax dollars, but more importantly, they care about the children in our state. The doctors in osteopathy were extremely passionate about this bill when we talked to them about it. We want to thank the Senator for bringing it forward, and we hope that you will pass this bill.

Joanna Jacob, representing Dignity Health-St. Rose Dominican, Henderson, Nevada:

We are the state's only not-for-profit, faith-based health system. Part of our mission is to advocate for efforts such as these, which reduce barriers in accessing care for our most vulnerable citizens in the state. That is why we are in support. Thank you to Senator Cancela, Mr. Busker, and Mr. Sasser for working on this issue. We were supportive on the Senate side, and we are pleased to do so here as well.

Shane Piccinini, Government Relations, Food Bank of Northern Nevada; and Three Square:

It is no secret that health care is one of the single biggest expenses that our clients face. This bill is definitely something that we appreciate.

George Ross, representing Hospital Corporation of America, Inc.; and Sunrise Hospital and Medical Center:

We would like to thank Senator Cancela for bringing this excellent bill. For all of the reasons that she, Mr. Busker, and Mr. Sasser stated up here, we stand in support and urge your support too.

Stacey Shinn, representing Progressive Leadership Alliance of Nevada; and the Nevada Immigrant Coalition:

I just want to put us on the record as in support of this bill.

Caroline Mello Roberson, representing NARAL Pro-Choice Nevada:

We are also in support.

Alanna Bondy, Intern, American Civil Liberties Union of Nevada:

I would just like to register our support of this bill as well.

Tess Opferman, representing Nevada Women's Lobby:

We are in strong support.

Elisa Cafferata, Director of Government Relations, Nevada Advocates for Planned Parenthood:

We are registering a "me too" in support.

Michael Hackett, representing Nevada Public Health Association:

We just want to be put on the record in support of this bill as well.

Chairman Sprinkle:

Is there anyone else here or in southern Nevada in support? [There was no one.] Is there anyone in opposition to this bill?

Janine Hansen, State President, Nevada Families for Freedom:

The Center for Immigration studies shows that there is a child present in 86 percent of illegal immigrant households using welfare. This is the primary way that these households access programs. Of illegal immigrant households with children, 87 percent access one or more welfare programs compared to 52 percent of native households. Households headed by immigrants illegally in the country have higher use rates for food programs and for Medicaid than native households overall at 51 to 23 percent.

Our concern is that the increasing costs will not just be those that may have been stated by Mr. Sasser that would be covered, but additional access would be available through accessing Medicaid programs and would be costs we may not be able to project. We know that the Assembly just passed a bill to cover a shortfall of \$5.8 million in the current Medicaid budget, and we are concerned going forward with the increase in this biennium's budget, an increase of \$173 million to handle Medicaid. We think there may be costs that are not quantified in this because of additional access by illegal immigrant children.

Chairman Sprinkle:

Is there anyone else in opposition? [There was no one.] Is there anyone neutral to this bill?

Bobbette Bond, representing Unite Here Health:

After that last testimony, I want to make sure we weigh in support of this bill. I know I did that out of order.

Chairman Sprinkle:

Is there anyone neutral to this bill? [There was no one.] Senator Cancela, do you have closing comments?

Senator Cancela:

I just want to make sure I was clear for the record that the access to Medicaid and CHIP goes directly to the beneficiary, who would be a legally present child as deemed through a variety of different immigration statuses, but they would be legally present. Nothing in the bill

would allow for undocumented children to access benefits. I wish it would, but that is not what this bill does. It is a small population, and the benefits go directly to the recipient. This bill affects some of our most vulnerable children and makes sure they have access that we, as a state, should be fighting for everyone to have.

Chairman Sprinkle:

We will close the hearing on S.B. 325 (R1). We will be doing a work session on a few bills. We will start with Senate Bill 394 (2nd Reprint) followed by Senate Bill 189 (1st Reprint) and Senate Bill 355 (1st Reprint).

Senate Bill 394 (2nd Reprint): Revises provisions relating to health insurance. (BDR 57-950)

Marsheilah Lyons, Committee Policy Analyst:

The work session document includes an amendment that was presented subsequent to the hearing ([Exhibit J](#)). The intent of Proposed Amendment 5175 from Senator Spearman is to address some of the concerns of the health maintenance organization plans presented to the sponsor about disclosing proprietary information. Its intent is to provide protections for that information through that amendment.

Senate Bill 394 (2nd Reprint) requires, upon written request, a health maintenance organization to provide certain data to the person responsible for overseeing the health care plan for a group purchaser. The data must be provided in an aggregated form that complies with federal and state law, including the Health Insurance Portability and Accountability Act of 1996.

The bill also requires the Legislative Committee on Health Care to study, during the 2017-2018 Interim, opportunities to establish a program similar to the Medicaid managed care program and make the program available through the Silver State Health Insurance Exchange, among other things. The Committee must report the results of the study and any recommendations to the Legislature by September 1, 2018.

Chairman Sprinkle:

Are there any questions or comments?

Assemblyman Oscarson:

There has been a tremendous amount of work that has gone on both sides on this bill. I have not had an opportunity to completely read the amendment because we just got it, as well as some of the other folks that have been involved in these negotiations. I am going to support it to get it out of Committee. I will see if those negotiations will continue, but I could very easily change my mind when we vote on the floor. I know we do not necessarily need to warn you any more, Sir, but I think it is only fair to let you know how I am feeling.

Chairman Sprinkle:

I appreciate that. If anyone is listening to your comments, time is of the essence at this point.

Assemblyman Edwards:

I am glad to see the work that was done on this; however, I am still not comfortable enough with it, so I will have to be a no.

Chairman Sprinkle:

Are there any other questions or comments? [There were none.] I will take a motion for amend and do pass.

ASSEMBLYMAN THOMPSON MOVED TO AMEND AND DO PASS
SENATE BILL 394 (2ND REPRINT).

ASSEMBLYMAN McCURDY SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN EDWARDS, HAMBRICK,
AND TITUS VOTED NO. ASSEMBLYWOMAN BENITEZ-THOMPSON
WAS ABSENT FOR THE VOTE.)

Assemblyman Thompson will take the floor statement. We will now move to the next bill in our work session, Senate Bill 189 (1st Reprint).

Senate Bill 189 (1st Reprint): Revises provisions relating to child care facilities.
(BDR 38-61)

Marsheilah Lyons, Committee Policy Analyst:

Senate Bill 189 (1st Reprint) was heard today, and it modifies provisions related to child care facilities. There were no amendments presented at today's hearings.

Chairman Sprinkle:

Once again, we just heard this bill today. Are there any questions or comments on the bill? Seeing none, I will take a motion for do pass.

ASSEMBLYWOMAN JOINER MADE A MOTION TO DO PASS
SENATE BILL 189 (1ST REPRINT).

ASSEMBLYMAN THOMPSON SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN EDWARDS, HAMBRICK,
OSCARSON, AND TITUS VOTED NO. ASSEMBLYWOMAN BENITEZ-
THOMPSON WAS ABSENT FOR THE VOTE.)

Assemblywoman Joiner will take the floor statement. The last bill in the work session is Senate Bill 355 (1st Reprint).

Marsheilah Lyons, Committee Policy Analyst:

Senate Bill 355 (1st Reprint) was heard today and increases the fee for a certificate of death to fund grief support services. There were no amendments proposed for that measure.

Chairman Sprinkle:

Are there any questions or comments? Seeing none, I will accept a motion for do pass.

ASSEMBLYMAN CARRILLO MADE A MOTION TO DO PASS
SENATE BILL 355 (1ST REPRINT).

ASSEMBLYMAN THOMPSON SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYWOMAN BENITEZ-THOMPSON
WAS ABSENT FOR THE VOTE.)

I will take the floor statement. That does it for the work session. At this point, we will close work session. Is there anyone wishing to come forward under public comment? [There was no one.] We probably have more work to do. We are in recess [at 2:09 p.m.].

[This meeting was adjourned at 11:59 p.m.]

RESPECTFULLY SUBMITTED:

Kailey Taylor
Committee Secretary

APPROVED BY:

Assemblyman Michael C. Sprinkle, Chairman

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

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

[Exhibit C](#) is a chart regarding Senate Bill 286 (2nd Reprint), presented by Senator Heidi Gansert, Senate District No. 15.

[Exhibit D](#) is a conceptual amendment to Senate Bill 286 (2nd Reprint), presented by Senator Heidi Gansert, Senate District No. 15.

[Exhibit E](#) is written testimony regarding Senate Bill 286 (2nd Reprint), presented by Senator Heidi Gansert, Senate District No. 15.

[Exhibit F](#) is written testimony in support of Senate Bill 286 (2nd Reprint), submitted by Julie Ostrovsky, the Nevada Commission on Autism Spectrum Disorder.

[Exhibit G](#) is written testimony in support of Senate Bill 286 (2nd Reprint), submitted by Steven Cohen, Private Citizen, Las Vegas, Nevada.

[Exhibit H](#) is written testimony neutral to Senate Bill 286 (2nd Reprint), submitted by Ken MacAleese, representing Advanced Child Behavior Solutions.

[Exhibit I](#) is written testimony in support of Senate Bill 355 (1st Reprint), submitted by Kelly Thomas Boyers, President and Co-Founder, Adam's Place.

[Exhibit J](#) is the Work Session Document for Senate Bill 394 (2nd Reprint), dated March 3, 2017, presented by Marsheilah Lyons, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.