

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

**Eightieth Session
May 17, 2019**

The Committee on Health and Human Services was called to order by Chairwoman Lesley E. Cohen at 1:59 p.m. on Friday, May 17, 2019, 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/80th2019.

COMMITTEE MEMBERS PRESENT:

Assemblywoman Lesley E. Cohen, Chairwoman
Assemblyman Richard Carrillo, Vice Chairman
Assemblyman Alex Assefa
Assemblywoman Bea Duran
Assemblywoman Michelle Gorelow
Assemblyman Gregory T. Hafen II
Assemblywoman Lisa Krasner
Assemblywoman Connie Munk
Assemblywoman Rochelle T. Nguyen
Assemblywoman Robin L. Titus

COMMITTEE MEMBERS ABSENT:

Assemblyman John Hambrick (excused)

GUEST LEGISLATORS PRESENT:

None

STAFF MEMBERS PRESENT:

Marsheilah Lyons, Committee Policy Analyst
Karly O'Krent, Committee Counsel
Christian Thauer, Committee Manager and Secretary
Alejandra Medina, Committee Assistant



OTHERS PRESENT:

None

Chairwoman Cohen:

[Roll was called. Committee policies were explained.] We only have a work session on the agenda today. On the work session agenda are Senate Bill 95 (1st Reprint), Senate Bill 203 (1st Reprint), Senate Bill 315 (1st Reprint), Senate Bill 390 (1st Reprint), Senate Bill 424, Senate Bill 430 (1st Reprint), and Senate Bill 477.

Ms. Lyons, please begin the work session.

Marsheilah Lyons, Committee Policy Analyst:

The members of the Committee have in front of them the work session documents prepared by staff, which are also available on the Nevada Electronic Legislative Information System to members of the public.

The first measure on the work session document is Senate Bill 95 (1st Reprint).

Senate Bill 95 (1st Reprint): Revises provisions governing diets that are ordered or prescribed for patients. (BDR 40-445)

Marsheilah Lyons, Committee Policy Analyst:

[Marsheilah Lyons read from the work session document ([Exhibit C](#)).] Senate Bill 95 (1st Reprint) requires a medical facility to take any actions necessary to adhere to a diet that is ordered or prescribed for a patient, and it authorizes a licensed dietitian to order a diet or nutritional supplement for a patient. The bill also authorizes a hospital to grant clinical privileges to a licensed dietitian for the purposes of ordering diets, ordering laboratory tests to monitor the effectiveness of diets, and making modifications to diets based on laboratory tests.

There were no amendments for this measure.

Chairwoman Cohen:

Committee, do we have any questions on this measure? [There was no reply.]

I will take a motion to do pass.

ASSEMBLYWOMAN DURAN MADE A MOTION TO DO PASS
SENATE BILL 95 (1ST REPRINT).

ASSEMBLYWOMAN MUNK SECONDED THE MOTION.

Do we have a discussion on the motion? [There was no reply.]

THE MOTION PASSED. (ASSEMBLYMAN HAFEN VOTED NO.
ASSEMBLYMAN HAMBRICK WAS ABSENT FOR THE VOTE.)

I will assign the floor statement to Assemblywoman Gorelow.

We will move on to Senate Bill 203 (1st Reprint).

Senate Bill 203 (1st Reprint): Revises provisions governing programs for children who are blind, visually impaired, deaf or hard of hearing. (BDR 38-77)

Marsheilah Lyons, Committee Policy Analyst:

[Marsheilah Lyons read from the work session document ([Exhibit D](#)).] Senate Bill 203 (1st Reprint) revises provisions governing programs for children who are blind, visually impaired, deaf, or hard of hearing. The bill authorizes the director of the Department of Health and Human Services to establish a program to negotiate discounts and rebates for hearing devices and related costs for children in Nevada who are deaf or hard of hearing. In addition, S.B. 203 (R1) requires the Aging and Disability Services Division of the Department to develop and administer a program whereby any child under 13 years of age who is hard of hearing may apply to obtain a hearing aid at no charge if the child resides in a home with a household income that is at or below 400 percent of the federal poverty level and does not have insurance coverage for hearing aids. Applications must be awarded to the extent that money is available, in the order in which they are received.

The bill requires the superintendent of public instruction to establish the Advisory Committee on Language Development for Children Who Are Deaf, Hard of Hearing, Blind or Visually Impaired, which must recommend to the State Board of Education criteria for the development of language and literacy skills by children who are less than six years of age and are deaf, hard of hearing, blind, or visually impaired. The criteria must be used in individualized education programs prescribing special education and individualized family service plans prescribing early intervention services for such children.

The bill also requires the Legislative Commission to appoint a committee of legislators to conduct an interim study of the feasibility of establishing a public school for pupils who are blind, visually impaired, deaf, or hard of hearing.

There is an amendment proposed by Senator Pat Spearman, Senate District No. 1, to this measure. In summary, the amendment specifies:

1. The type of insurer who may participate in a program to negotiate discounts and rebates for hearing devices and related costs; and
2. That children who do not have access to affordable insurance coverage for hearing aids may be eligible for the program.

The amendment will also add Assemblymen Nguyen, Assefa, Krasner, and Gorelow as bill sponsors.

Chairwoman Cohen:

Are there any questions about this measure? [There was no response.] I will take a motion to amend and do pass.

ASSEMBLYWOMAN KRASNER MADE A MOTION TO AMEND AND DO PASS SENATE BILL 203 (1ST REPRINT).

ASSEMBLYWOMAN GORELOW SECONDED THE MOTION.

Are there further comments? [There was no response.]

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

Assemblywoman Krasner will take the floor statement.

Next is Senate Bill 315 (1st Reprint).

Senate Bill 315 (1st Reprint): Revises provisions relating to public health. (BDR 40-581)

Marsheilah Lyons, Committee Policy Analyst:

[Marsheilah Lyons read from the work session document ([Exhibit E](#)).] Senate Bill 315 (1st Reprint) makes various changes related to rare diseases and childhood cancer. Specifically, the bill:

- Creates the Rare Disease Advisory Council within the Department of Health and Human Services (DHHS) to study issues relating to the prevalence and treatment of rare diseases in Nevada;
- Requires the Division of Public and Behavioral Health, DHHS, to include information regarding the importance of annual physical examinations for children by health care providers in appropriate public health programs and activities;
- Requires certain educational entities and health and physical education classes to provide similar information regarding the importance of annual physical examinations;
- Requires the Department of Motor Vehicles to design, prepare, and issue special license plates to increase awareness of childhood cancer; the license plates must include the phrase "Cure Childhood Cancer"; and
- Requires certain health professional licensing boards to encourage physicians, physician assistants, and advanced practice registered nurses to receive, as part of their continuing medical education, training and education in the diagnosis of rare diseases.

There were no amendments for this measure.

Chairwoman Cohen:

Committee, do you have any questions? [There was no response.] I will take a motion to do pass.

ASSEMBLYWOMAN NGUYEN MADE A MOTION TO DO PASS
SENATE BILL 315 (1ST REPRINT).

ASSEMBLYWOMAN MUNK SECONDED THE MOTION.

Do we have any comments on the motion?

Assemblywoman Titus:

Unfortunately, I am going to be a nay on this measure. The testimony for this bill was heartrending, but this bill does not have the effect that they had hoped it would have. I think there are other avenues that truly will make an impact on rare diseases, especially pediatric rare diseases. Having all entities have extra education on that—which we already have—is not going to solve the problem, and it adds an extra burden. I will have to be a no.

Chairwoman Cohen:

Are there any other comments? [There was no response.]

THE MOTION PASSED. (ASSEMBLYMEN HAFEN AND TITUS
VOTED NO. ASSEMBLYMAN HAMBRICK WAS ABSENT FOR THE
VOTE.)

I will assign the floor statement to Assemblyman Assefa.

We will move on to Senate Bill 390 (1st Reprint).

Senate Bill 390 (1st Reprint): Revises provisions governing the slaughtering of livestock. (BDR 51-258)

Marsheilah Lyons, Committee Policy Analyst:

[Marsheilah Lyons read from the work session document ([Exhibit F](#)).] Senate Bill 390 (1st Reprint) authorizes the state quarantine officer to adopt regulations providing a process for the operator of a farm or other facility that raises poultry to obtain a permit to slaughter and sell raw poultry to a consumer at the farm or other facility in this state. In addition, the state quarantine officer may adopt regulations providing a process for a person to obtain a license to operate a custom processing establishment or mobile processing unit. The bill defines "custom processing establishment" to mean a fixed facility that slaughters or processes livestock or poultry for the owner or person in lawful possession of the livestock or poultry at the facility and "mobile processing unit" to mean certain types of vehicles used to slaughter or process livestock or poultry for such persons at the person's farm or other facility or at another approved location.

Two amendments are proposed for this measure:

1. Proposed by the Great Basin Policy Partners [pages 2-3, ([Exhibit F](#))]; and
2. Proposed by the State Department of Agriculture: Section 4(2)(c) should be added in whole and replace section 2(2)(c) to ensure consistency in the adoption of regulations to the different processing units, whether on-farm, custom, or mobile. Additionally, the following requirement should be included in the enumerated lists contained in both sections: "A minimum of annual inspections or additional inspections as deemed necessary by the department."

Chairwoman Cohen:

Are there any questions on the bill?

Assemblywoman Titus:

I just want to put on the record that this is a pretty chicken bill. [There was laughter.] But I will support it.

Chairwoman Cohen:

Are there any other questions on the bill? [There was no reply.] I will put on the record that I was in communication with the State Department of Agriculture. They do believe that this is an important bill to keep Nevadans safe. The amendments are both considered friendly at this point.

I am looking for a motion to amend and do pass.

ASSEMBLYMAN HAFEN MADE A MOTION TO AMEND AND DO
PASS SENATE BILL 390 (1ST REPRINT).

ASSEMBLYMAN CARRILLO SECONDED THE MOTION.

Are there further comments? [There was no response.]

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

Assemblyman Hafen will take the floor statement.

Next is Senate Bill 424.

**Senate Bill 424: Revises provisions governing services for persons with a mental illness.
(BDR 39-964)**

Marsheilah Lyons, Committee Policy Analyst:

[Marsheilah Lyons read from the work session document ([Exhibit G](#)).] Senate Bill 424 requires the regulations that the Division of Public and Behavioral Health of the Department

of Health and Human Services adopts specifying the circumstances under which a consumer is eligible to receive mental health services from the Division to also prescribe a system to categorize consumers by the scope of services they need. The Division must also adopt regulations establishing procedures by which a consumer or provider of services may appeal a decision by the Division concerning eligibility for or authorization of services.

Two amendments are proposed to specify the types of services that apply to the provision of the measure and to specify that the client, the consumer, has the ability to appeal for denied services.

Chairwoman Cohen:

Are there any other questions on the bill? [There was no reply.] The amendments are considered friendly with the intent to ensure that the clients are in control of their situations with the assistance of their social workers if needed.

I am looking for a motion to amend and do pass.

ASSEMBLYWOMAN MUNK MADE A MOTION TO AMEND AND DO
PASS SENATE BILL 424.

ASSEMBLYWOMAN NGUYEN SECONDED THE MOTION.

Are there further comments? [There was no response.]

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

Assemblywoman Munk will take the floor statement.

Next is Senate Bill 430 (1st Reprint).

Senate Bill 430 (1st Reprint): Expanding the definition of "chronic or debilitating medical condition" for certain purposes related to the medical use of marijuana. (BDR 40-1152)

Marsheilah Lyons, Committee Policy Analyst:

[Marsheilah Lyons read from the work session document ([Exhibit H](#)).] Senate Bill 430 (1st Reprint) expands the definition of "chronic or debilitating medical condition" as used for certain purposes relating to the medical use of marijuana. The bill adds to the definition an anxiety disorder, an autism spectrum disorder, an autoimmune disease, dependence upon or addiction to opioids, anorexia or cachexia, chronic pain, a medical condition related to acquired immunodeficiency syndrome or the human immunodeficiency virus, and a neuropathic condition regardless of whether it causes seizures.

Unlike as stated in the work session document, there is an amendment for this measure. That amendment is in section 1, page 2, line 12 of the bill and suggests to retain "severe" prior to "nausea." One of the conditions would thus be severe nausea.

Chairwoman Cohen:

Are there any questions?

Assemblywoman Titus:

Although I do support the use of medical marijuana in certain situations—and I have recommended it to patients myself—I will not be able to support this bill based on the significant expansion of the appropriateness of the use of marijuana in a medical sense without any medical documentation.

Chairwoman Cohen:

Are there any other questions or comments? [There were none.]

Chairwoman Cohen:

I am looking for a motion to amend and do pass.

ASSEMBLYWOMAN GORELOW MADE A MOTION TO AMEND AND
DO PASS SENATE BILL 430 (1ST REPRINT).

ASSEMBLYWOMAN NGUYEN SECONDED THE MOTION.

Are there discussions on the motion?

Assemblyman Carrillo:

Maybe I should have said this in discussions earlier, but I have some deep concerns regarding the "chronic or debilitating medical condition," and regarding section 1, subsection 3, "An autism spectrum disorder." I think there still is a lot to be discovered on that. I think we are opening up a Pandora's box. So I will reserve my right to change my vote on the floor, but will vote this out of Committee.

Chairwoman Cohen:

Are there any other discussions? [There were none.]

THE MOTION PASSED. (ASSEMBLYMEN HAFEN, KRASNER, AND
TITUS VOTED NO. ASSEMBLYMAN HAMBRICK WAS ABSENT FOR
THE VOTE.)

Assemblywoman Duran will take the floor statement.

We will move on to Senate Bill 477.

Senate Bill 477: Prohibits the release of a child to a parent or guardian in certain circumstances. (BDR 38-1005)

Marsheilah Lyons, Committee Policy Analyst:

[Marsheilah Lyons read from the work session document ([Exhibit I](#)).] Senate Bill 477 expands existing prohibitions on a court from releasing certain children to a parent or guardian who has been convicted of the abuse, neglect, or endangerment of a child under Nevada law unless the court finds clear and convincing evidence that no physical or psychological harm to the child will result from the release of the child to the parent or guardian. The prohibitions also apply:

- To the release of any child to such a parent, regardless of whether the child has been placed in protective custody; and
- If the parent or guardian has been convicted of a violation of the law of another jurisdiction that prohibits the same or similar conduct as that prohibited by federal law.

There is an amendment, which inserts after "child" on line 9 the words "who is subject to the proceeding held pursuant to NRS 432B.410 to 432B.590"

The amendment is proposed by Senator Keith Pickard, Senate District No. 20, and Senator James Ohrenschall, Senate District No. 21.

Chairwoman Cohen:

These are considered friendly amendments. For your information, the Senators had a discussion with Judge Sullivan, who testified during the hearing. I also spoke with the District Attorney's Office in Clark County. There do not seem to be any concerns with the amendments. Are there any more questions that should be discussed? [There were none.]

I am looking for a motion to amend and do pass as amended.

ASSEMBLYMAN HAFEN MADE A MOTION TO AMEND AND DO
PASS SENATE BILL 477.

ASSEMBLYWOMAN NGUYEN SECONDED THE MOTION.

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

Assemblywoman Titus will take the floor statement.

I will go ahead and close the work session. Is there anyone wishing to step forward under public comment? [There was no response.]

We are in recess [at 2:11 p.m.].

[The meeting was adjourned at 4:00 p.m.]

RESPECTFULLY SUBMITTED:

Christian Thauer
Committee Secretary

APPROVED BY:

Assemblywoman Lesley E. Cohen, Chairwoman

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

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

[Exhibit C](#) is the Work Session Document for [Senate Bill 95 \(1st Reprint\)](#), dated May 17, 2019, presented by Marsheilah Lyons, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit D](#) is the Work Session Document for [Senate Bill 203 \(1st Reprint\)](#), dated May 17, 2019, presented by Marsheilah Lyons, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit E](#) is the Work Session Document for [Senate Bill 315 \(1st Reprint\)](#), dated May 17, 2019, presented by Marsheilah Lyons, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit F](#) is the Work Session Document for [Senate Bill 390 \(1st Reprint\)](#), dated May 17, 2019, presented by Marsheilah Lyons, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit G](#) is the Work Session Document for [Senate Bill 424](#), dated May 17, 2019, presented by Marsheilah Lyons, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit H](#) is the Work Session Document for [Senate Bill 430 \(1st Reprint\)](#), dated May 17, 2019, presented by Marsheilah Lyons, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit I](#) is the Work Session Document for [Senate Bill 477](#), dated May 17, 2019, presented by Marsheilah Lyons, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.