

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

**Eightieth Session  
April 15, 2019**

The Senate Committee on Health and Human Services was called to order by Chair Julia Ratti at 4:04 p.m. on Monday, April 15, 2019, in Room 2135 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412E of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

**COMMITTEE MEMBERS PRESENT:**

Senator Julia Ratti, Chair  
Senator Pat Spearman, Vice Chair  
Senator Joyce Woodhouse  
Senator Joseph P. Hardy

**COMMITTEE MEMBERS ABSENT:**

Senator Scott Hammond (Excused)

**GUEST LEGISLATORS PRESENT:**

Assemblywoman Lesley E. Cohen, Assembly District No. 29  
Assemblywoman Robin L. Titus, Assembly District No. 38

**STAFF MEMBERS PRESENT:**

Megan Comlossy, Committee Policy Analyst  
Eric Robbins, Committee Counsel  
Vickie Polzien, Committee Secretary

**OTHERS PRESENT:**

Erik Jimenez, Senior Policy Director, Nevada State Treasurer's Office  
Deidre Hammon  
Brianna Hammon, Center for Self Determination Library

Senate Committee on Health and Human Services  
April 15, 2019  
Page 2

Homa Woodrum, Chief Advocacy Attorney, Aging and Disability Services  
Division, Department of Health and Human Services  
Joan Hall, Nevada Rural Hospital Partners Foundation  
Michael Hackett, Nevada Academy of Physician Assistants  
Chloe Chism, Nevada Advanced Practice Nurses Association  
Paige Barnes, Nevada Nurses Association  
Mari Nakashima, Nevada State Medical Association  
Ryan Beaman  
April Sanborn, Services Manager III, Driver Programs, Nevada Department of  
Motor Vehicles

CHAIR RATTI:

I will open the hearing on Assembly Bill (A.B.) 130.

**ASSEMBLY BILL 130**: Places the Nevada ABLE Savings Program entirely under  
the authority of the State Treasurer. (BDR 38-177)

ASSEMBLYWOMAN LESLEY E. COHEN (Assembly District No. 29):  
I am here today to present A.B. 130 for your consideration.

This bill would move the Nevada Achieving a Better Life Experience (ABLE) Savings Program entirely under the authority of the State Treasurer. The Nevada ABLE Savings Program is based on the federal ABLE Act of 2014. This Program provides for a special tax advantage savings account for persons with a disability and their family members. The first \$100,000 in an ABLE account does not count against the Medicaid or Supplemental Security Income resource limits. The ABLE Act allows eligible Nevadans with disabilities to create a special savings account for many personal expenses aimed at making their lives easier. Family members and friends can also contribute to the account.

During the Interim, Committee members received testimony of the need to create a more streamlined administrative process for the ABLE Program. The revisions would provide for one entity to represent the State in all decisions regarding the National ABLE Alliance and ensure there is ultimate accountability for the growth and health of the Program.

Under current law, *Nevada Revised Statutes* (NRS) 427A.896 requires the State Treasurer to establish the ABLE Program, and the Aging and Disabilities Services Division (ADSD) of the Department of Health and Humans Services to

implement an outreach and educational program designed to create awareness of and increase participation in the ABLE Savings Program. The ADSD is authorized to employ personnel and enter into contracts to carry out the provisions of the ABLE Program. However, it was the understanding of the Interim Committee that no money has been included in the ADSD budget to support these efforts.

The bill would transfer all duties and authority of the ADSD to the State Treasurer, including the duty to implement an outreach and education program.

I had a meeting with Amy Garland, Executive Officer with the Nevada Department of Veterans Services. Ms. Garland is the mother of a young woman with special needs and advocates for Nevada veterans. She spends a great deal of her day outside of working hours advocating for her daughter and others with special needs. She also sits on the Board of Amplify Life which is a nonprofit for children with special needs.

Ms. Garland was not aware of ABLE accounts. After our conversation, she told me she had spoken with someone active in the special needs community and they had just learned about the ABLE accounts by word-of-mouth. I thought it striking with their level of involvement that these women active in the special needs community had never heard of these accounts. It is apparent we are not getting the word out about the ABLE Program. The move to the Treasurer's Office would help spread the word as the Treasurer's Office has the budget for outreach.

ERIK JIMENEZ (Senior Policy Director, Nevada State Treasurer's Office):

The ABLE Act was one of the largest pieces of legislation for people with disabilities in this Country. Next to the Americans with Disabilities Act, the ABLE Act is one of the single most monumental pieces of legislation for this population of folks who typically get left behind.

The beauty of the ABLE Program is that people who are typically twice as likely to be in poverty and unemployed are able to save and spend their money as they wish. Right now, there are limits on how much money they can save without losing their social security and Medicaid benefits. The ABLE Act allows for them to save and put their money in tax advantage savings accounts and spend it as they wish without losing access to those essential programs. It is important we allow people to get out of the cycle of poverty. Just because you

were born differently does not mean you should be held back. We believe the ABLE Program is monumental in terms of helping these people get out of a bad situation.

Right now, we have 448 national accounts. We are in a State consortium of 16 states; we have \$2.18 million in assets under management with an average account balance of \$4,800. Nevada residents only account for approximately 95 of those 448 accounts. Before the Treasurer took office on January 7, 2019, we only had 60 accounts. I would argue that we are doing well so far with no budget or legislative authority to perform outreach and marketing of this Program to get people signed up. We want to continue this priority.

The last Treasurer, while well-intentioned on some issues, did not see this as a priority. We want to ensure every person with a disability has the opportunity to move up, save and live their lives to the fullest. We are taking a similar level of engagement with our college savings programs. We will employ navigators, or use those within our Office, to meet people within the communities to speak about problems they may be experiencing or answer questions they have when it comes to losing benefits or lack thereof.

CHAIR RATTI:

Is Health and Human Services happy to see someone else take this and run with it as it removes the responsibility from the ADSD?

ASSEMBLYWOMAN COHEN:

We have Homa Woodrum, the Chief Advocacy Attorney for ADSD here today who may be able to answer that question for you. My understanding is this is acceptable to them.

DEIDRE HAMMON:

I am with the Center for Self Determination Library in Reno. We have a disability library run by our librarian, Brianna Hammon. We support a People First of Nevada group which is made up of individuals with developmental disabilities who are engaged in self-advocacy activities. We also have a children's advocacy project where we do advocacy for children in schools around Individual Education Programs.

When this bill came about, People First was very excited about the idea of being able to save money, but we could not get certain questions answered. We heard there would be a training in the community led by an attorney at a nonprofit agency. They could not answer any of our questions. It would be nice to have someone from the Treasurer's Office that could answer our questions.

BRIANNA HAMMON (Center for Self Determination Library):  
The Center for Self Determination Library in Reno supports A.B. 130.

HOMA WOODRUM (Chief Advocacy Attorney, Aging and Disability Services, Department of Health and Human Services):  
Aging and Disability Services is in support of A.B. 130. We will continue to do our outreach and education. We are anxious to see what the Treasurer's Office is able to do with funding for this program.

CHAIR RATTI:  
I will close the hearing on A.B. 130 and open the hearing on A.B. 147.

**ASSEMBLY BILL 147**: Authorizes a physician assistant or advanced practice registered nurse to perform certain services. (BDR 40-85)

ASSEMBLYWOMAN ROBIN L. TITUS (Assembly District No. 38):  
I am here today to present A.B. 147 for your consideration.

A physician assistant (PA) and an advanced practice registered nurse (APRN) are both considered medical professionals; both are also considered medical providers. The professions have similarities and differences. I have provided a handout (Exhibit C) referencing the 2018 Comparison of Nevada PA, Nurse Practitioners and Physician Education.

The key point to be made today is the difference in their licensure. Advanced practice registered nurses are licensed under the State Board of Nursing and PAs are licensed under the Board of Medical Examiners and State Board of Osteopathic Medicine. Physician assistants are required to have a physician supervisor and APRNs are no longer required to have a collaborating physician. They were granted independent practice in 2013 by the Nevada State Legislature.

A major part of the reasoning for their independence, in addition to their training, was Nevada's lack of providers, especially in the rural areas and in the area of primary care. Unfortunately, the lack of providers was not solved. As Nevada's population continued to grow, the ratio of medical providers to population worsened. The projected physician shortage nationwide is 90,000 providers in 2025 and increasing to approximately 105,000 by 2030. Primary care is one of the areas with the most significant shortfall. The estimated shortfall in that area is between 7,800 and 32,000; there are just not enough of us.

As a family practice physician, I have trained and worked with both APRNs and PAs. I would not be here today without the dedication and skills of the PA in my office or those who have covered for me in past sessions. Although I am available 24 hours a day, 7 days a week by phone, and in-house 3 days a week, there are times when patients need documents that require my signature. Even though APRNs are independent practitioners, and PAs can exercise autonomy and medical decision making, and have the training and knowledge to perform the required exams, they cannot sign certain forms. This bill attempts to fix that. To be clear, APRNs and PAs are not excluded from signing these forms. They were not included when these forms were created, as they did not exist as an entity at the time.

One of the issues identified was the very nature of the professions. In 1864, when the Nevada Constitution and subsequent NRS were written, their practice models and professions did not exist. This bill alleviates some of the barriers to care. It updates the statutes to be consistent with today's health care world while protecting patients. Assembly Bill 147 does not expand the scope or practice for either profession. It does give them signature authority for exams they are currently doing and allows them to practice to the full extent of their capabilities.

As this bill has progressed, there have been no amendments. The bill states a provider of health care or a physician assistant may refer a patient to a physical therapist. A provider may also perform a physical exam, release a person to play sports and sign the post-injury form.

This bill will allow a PA to sign a form for a student to take their medications to school. There are many rules and regulations that currently exist around what medications a student may take to the classroom. This bill would allow the PA,

who has prescribed the medication, to sign the form allowing the student to take the medication.

Assembly Bill 147 will allow the PA to sign off on students to continue to participate in competitive sports within the school district. It will allow a PA, within the Centers for Medicare and Medicaid guidelines, certain signature rights and the ability to order home health care. It also allows a PA, who can currently do Commercial Driver License physicals, to do taxicab physicals. This will also allow them to sign a handicap placard application.

We passed a bill for nurse practitioners last Session allowing them independent practice and the ability to sign some of these forms, but these forms were not changed. This bill will also state the appropriate department that is affected by this bill will be required to change their forms on or before January 1, 2020.

We did reach out to the individual departments, including the Department of Motor Vehicles (DMV), as they will be most affected with the signature for the handicap placards. They assured us there would be no fiscal concerns, as it is done by a computer and the change to the form that is downloaded could be easily done.

SENATOR WOODHOUSE:

After reviewing this bill, and those that were brought forward last Session, I do not know why we did not catch these issues at that time. I am happy we are dealing with this now, especially with respect to the PAs. They are a vital part of our medical community and dealing with health care for our citizens.

JOAN HALL (Nevada Rural Hospital Partners Foundation):

This bill is similar to S.B. 134 we have this Session. It appears to me they are both clean-up bills to S.B. No. 227 of the 79th Session. The bill simply ensures the assessments APRNs and PAs can document on forms are allowed within the scope of their practice. These forms have historically had the word "Physician" underneath the signature line. Since neither of these are physicians, they cannot sign the forms. During the Interim, we worked to try to get the various agencies to change their forms, and they stated they were not allowed to do so.

**SENATE BILL 134:** Makes various changes relating to advanced practice registered nurses. (BDR 43-63)

Nevada Rural Hospital Partners Foundation members operate 16 health clinics in rural Nevada. There are often only PAs or APRNs in these areas. It is disruptive to patient care for these patients to see their providers, have their assessments completed and not be able to get their handicap placard or take a back-to-school form or to give their own insulin at school. As Assemblywoman Titus stated, physicians are not always present, so making patients wait for a form to be signed by a physician is not right. Nevada Rural Hospital Partners Foundation urges your support for A.B. 147.

MICHAEL HACKETT (Nevada Academy of Physician Assistants):

Nevada Academy of Physician Assistants supports A.B. 147. We are grateful for the bipartisan support this bill received in the Assembly. As Assemblywoman Titus mentioned, this is one of several bills this Session designed to shed light on the PA profession, the role they play in the delivery of our health care, and how to fully utilize the education, skills, training and experience the PAs bring to our health care delivery system.

We recognize the challenges health care in Nevada faces, including professional work force issues. Our members are committed to team-based delivery of health care and feel this bill is a step forward in that direction.

CHLOE CHISM (Nevada Advanced Practice Nurses Association):

Nevada Advanced Practice Nurses Association supports A.B. 147. This bill fixes implementation problems the industry has dealt with as a result of S.B. No. 227 of the 79th Session.

PAIGE BARNES (Nevada Nurses Association):

Nevada Nurses Association supports A.B. 147. This bill will provide APRNs with greater signing authority within their scope of practice. This will give patients better access to care across the State.

MARI NAKASHIMA (Nevada State Medical Association):

Nevada State Medical Association supports A.B. 147. As was stated, this bill does not expand the scope of practice. It keeps supervision intact for consultation, which is an important patient protection. Physician assistants are required to follow the standard of care; we support this provision as a continuing clean-up measure.



RYAN BEAMAN:

I am the parent of a child involved in high school activities. I am in support of A.B. 147. We have gone through the process of getting the sign-off on the form for an injury in order to return to playing sports. This is not an easy process if your primary care is with a PA. Trying to find a physician to see you in a short period of time is not easy.

APRIL SANBORN (Services Manager III, Driver Programs, Nevada Department of Motor Vehicles):

The DMV confirms Assemblywoman Titus' testimony that there will be no fiscal impact to the DMV. As with the addition of the ARPNS during the last Session, it will be a procedural change and an easy addition to our forms.

ASSEMBLYWOMAN TITUS:

We have worked several sessions on some of these clean-up bills and believe we have it right this time. Health care is a moving target, things come up and there is a lot to work on. This bill does give us a step forward in the right direction.

CHAIR RATTI:

I will close the hearing on A.B. 147.

Remainder of page intentionally left blank; signature page to follow.

Senate Committee on Health and Human Services  
April 15, 2019  
Page 10

CHAIR RATTI:

Seeing no further business, the meeting is adjourned at 4:13 p.m.

RESPECTFULLY SUBMITTED:

---

Vickie Polzien,  
Committee Secretary

APPROVED BY:

---

Senator Julia Ratti, Chair

DATE: \_\_\_\_\_

EXHIBIT SUMMARY				
Bill	Exhibit / # of pages		Witness / Entity	Description
	A	1		Agenda
	B	3		Attendance Roster
A.B 147	C	1	Assemblywoman Robin L. Titus	Comparison of Education Programs