

**MINUTES OF THE  
SENATE COMMITTEE ON LEGISLATIVE OPERATIONS AND ELECTIONS**

**Eightieth Session  
March 4, 2019**

The Senate Committee on Legislative Operations and Elections was called to order by Chair James Ohrenschall at 4:04 p.m. on Monday, March 4, 2019, in Room 2144 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 James Ohrenschall, Chair  
Senator Nicole J. Cannizzaro, Vice Chair  
Senator Yvanna D. Cancela  
Senator Heidi Seevers Gansert  
Senator Keith F. Pickard

**GUEST LEGISLATORS PRESENT:**

Senator Joseph P. Hardy, Senatorial District No. 12

**STAFF MEMBERS PRESENT:**

Michael Stewart, Policy Analyst  
Kevin Powers, Committee Counsel  
Patrick Ashton, Policy Analyst  
Janae Johnson, Committee Secretary

**OTHERS PRESENT:**

John Yacenda, President, Nevada Silver Haired Legislative Forum  
Reba Burton, Vice President, Nevada Silver Haired Legislative Forum  
Rick Kuhlmeier, Nevada Silver Haired Legislative Forum  
Fran Almaraz, Nevada Silver Haired Legislative Forum  
Joan Hall, Nevada Rural Hospital Partners  
Robin Reedy, Executive Director, National Alliance on Mental Illness Nevada  
Jeanette Belz, Nevada Psychiatric Association

Senate Committee on Legislative Operations and Elections  
March 4, 2019  
Page 2

Brian Evans, Nevada State Medical Association

CHAIR OHRENSCHALL:

I will open the meeting with Senate Bill (S.B.) 24.

**SENATE BILL 24**: Revises provisions governing the Nevada Silver Haired Legislative Forum. (BDR 38-534)

JOHN YACENDA (President, Nevada Silver Haired Legislative Forum):

I brought a few people with me today, and I note the Committee's Policy Analyst, Patrick Ashton of the Legislative Counsel Bureau (LCB), is the Forum Coordinator.

Senate Bill 24 was selected as the Forum bill for the Eightieth Legislative Session. I have served on the Forum since 2012. I was elected President in 2015 and am serving my fourth term in office. The Nevada Silver Haired Legislative Forum structure was established in 1997, and it has been around a while with some modifications. The mission is to identify and act upon issues of importance to aging persons. There are 21 members appointed who serve 2-year terms, and each State Senator appoints a representative. The selection procedure is to have Senators consult with representatives in their districts. The Legislative Commission officially appoints members to the Forum.

There are requirements for these appointments. The persons are required to be Nevada residents for five years and registered voters in the districts they are appointed to serve for at least three years prior to the appointment. The persons are required to be at least 60 years of age on the day of appointment by the Legislative Commission. The Forum also includes six members from the Nevada Delegation of the National Silver Haired Congress. The Forum officers include president, vice president, secretary and treasurer. There are five or six meetings during the Interim which have varied over the years. The Forum has administered its own accounting for gifts, grants, donations, funding and assistance. The Forum has the authority to submit one bill draft request (BDR). The BDR can be used to address issues that are discovered during the Interim.

With this bill, the Forum is trying reorganize the body that will make the membership consistent. Each member will have the same qualifications and meet the same standards as every other member. The bill does not support the idea of consistency across the board. A table made up by the LCB ([Exhibit C](#))

compares the bill and existing law and how the Forum will change after the legislation is enacted.

The amendment to S.B. 24 was created by former members leaving the Forum ([Exhibit D](#)). Two positions were taken away: the Secretary and Treasurer are no longer needed because those functions are being taken care of by the LCB staff. This gives the Forum the opportunity to expand the members instead of having two positions that are no longer needed.

The proposed amendment gives the Forum body the opportunity to appoint an advisory position. This will be a voluntary position with per diem pay for the work and a title and duties as decided by the Forum.

REBA BURTON (Vice President, Nevada Silver Haired Legislative Forum):

Regarding the advisory position as proposed in the amendment, the Forum would like to select two people, one from the north and one from the south. Each person will go out in the community and research senior issues. During Forum meetings, the persons in the advisory position will present these issues. At Forum meetings, all sorts of community organizations discuss issues that seniors are experiencing. The whole purpose of the Forum is to present what is going on with seniors to the Legislators. There is a whole list of recommendations and information on what the Nevada Silver Haired Legislative Forum does in Bulletin 19-18 from the LCB ([Exhibit E](#)). I support S.B. 24 and the amendments.

RICK KUHLMEY (Nevada Silver Haired Legislative Forum):

I was appointed to the Forum in 2012 and represent Senatorial District No. 2, and it has been an honor to be on the Forum. I support S.B. 24.

SENATOR PICKARD:

Does the Forum have its own budget? Does the State give it money to spend?

MR. YACENDA:

Yes. The Forum has a budget from the Legislative Commission and is a budget line item.

SENATOR PICKARD:

Is it anticipated what the Forum receives will cover the additional per diem expenses? I am looking at the amendment for adding advisory members. Would this be covered by the existing budget?

CHAIR OHRENSCHALL:

Just a reminder: this is not the Senate Finance Committee, but you may answer this question.

MR. YACENDA:

The Forum has discussed this before, and there have been no problems with the budget.

SENATOR PICKARD:

The one question not answered is why? What was wrong with the bill, and what are you trying to fix?

MR. YACENDA:

For example, a person in the Silver Haired Congress is in the Forum for a certain amount of time and qualifies for an officer position but does not meet the qualifications of the Forum. This would not be consistent for the standards of what is being proposed.

SENATOR PICKARD:

I understand the composition piece, but the bill goes from one to three measures. Why make this change? What is not working?

MS. BURTON:

In two years, many concerns for seniors have arisen that need to be addressed. The Forum would like more bills besides just one. If there were more bills, there could be more issues addressed.

SENATOR PICKARD:

I agree everyone does want more bills.

MR. YACENDA:

I would be happy to sit down with you privately and give a better explanation to your question of why.

FRAN ALMARAZ (Nevada Silver Haired Legislative Forum):

I represent Senatorial District No. 10 for the Nevada Silver Haired Legislative Forum and support S.B. 24. The Forum has to make a hard choice every Session since there is only one BDR allowed. Senior issues are heartbreaking, and having more than one BDR could help address these issues.

MR. KUHLMAY:

The senior issues have become complex. The Forum would like a better way to serve the Legislature in bringing forward senior issues in upcoming sessions.

CHAIR OHRENSCHALL:

I will close the meeting on S.B. 24 and open the meeting on S.B. 241.

**SENATE BILL 241**: Revises provisions relating to the compensation of psychiatrists employed by or under contract with certain agencies in the Executive Department of the State Government. (BDR 23-404)

SENATOR JOSEPH P. HARDY (Senatorial District No. 12):

In Nevada, there is a need for more doctors. One of the specialties needed is psychiatrists for child services. Senate Bill 241 will allow the State to utilize psychiatrists who are not senior psychiatrists to provide on-call coverage and compensate them in the same manner that the State compensates for similar services. The only psychiatrists who are eligible for compensation for on-call services are senior psychiatrists. If there is not a senior psychiatrist on call, it is because they are not paid based on their skills. This makes it difficult to find qualified psychiatrists. Three out of the four psychiatric hospitals operated by the State do not have a psychiatrist who meets this definition. Allowing psychiatrists to be eligible for on-call compensation regardless of type of employment with the State will greatly improve Nevada's ability to secure reliable on-call coverage for inpatient facilities.

Senate Bill 241 will improve the ability to recruit and retain psychiatrists who are board-certified in psychiatry subspecialties such as forensic, child, adolescent, general adult and addiction. I went to the American Academy of Addiction Psychiatry to learn more about this subject. Nevada needs more psychiatry fellowships for training in these specialties. When a specialist psychiatrist is paid the same as a normal psychiatrist, this promotes the specialist to work somewhere else. The bill will help recruit and retain people who are trained in psychiatry and will help meet the demand in Nevada. This bill

differentiates between subspecialties with a base rate increase of 13.5 percent over the standard psychiatrists who do not have specialty training.

SENATOR PICKARD:

This is long overdue for the State which is in desperate need. Addressing the term senior psychiatrist, what does this mean? Does this mean a retired psychiatrist who volunteers time?

SENATOR HARDY:

The senior psychiatrist is one who has gone through the levels. This is not a termed-out person but someone who is active.

SENATOR PICKARD:

Are senior psychiatrists the only ones being compensated for on-call work?

SENATOR HARDY:

Yes. They are compensated by the State. Nevada needs to hire people at the same rate in order to compensate for on-call situations.

SENATOR SEEVERS GANSERT:

If the person is eligible but not yet certified, the person is actually down a couple levels from someone who is board-certified?

SENATOR HARDY:

If the person is subspecialty-certified then yes. Psychiatry is considered certified, but there are subspecialties.

SENATOR SEEVERS GANSERT:

The 13.5 percent is equal to what is being paid now?

SENATOR HARDY:

There is a standard pay schedule. The subspecialist is not paid more, and this makes recruiting hard for subspecialties.

SENATOR SEEVERS GANSERT:

Why 13.5 percent? Where did that number come from?

Senate Committee on Legislative Operations and Elections  
March 4, 2019  
Page 7

SENATOR HARDY:

It came from a psychiatrist who works for Nevada and from looking at a national graph of what other psychiatrists are making.

SENATOR SEEVERS GANSERT:

This would be estimated at the market rate for these services?

SENATOR HARDY:

Yes.

CHAIR OHRENSCHALL:

The 13.5 percent, is this compared to other states?

SENATOR HARDY:

Nevada is paying an hourly wage for psychiatrists at \$119.95. Nevada is seventh in the Nation. According to the graph, the middle pay is \$115 and New York is the highest at \$130. There are tables full of this information for hourly rates.

CHAIR OHRENSCHALL:

It is a struggle to keep qualified psychiatrists for several of the departments in the State. Do you think this will attract more psychiatrists?

SENATOR HARDY:

Yes.

JOAN HALL (Nevada Rural Hospital Partners):

The average rate was \$250 an hour to be on call. For certain patients at our facility, we asked for TeleHelp since there was no psychiatrist available in the State. Nevada Rural Hospital Partners supports S.B. 241.

ROBIN REEDY (Executive Director, National Alliance on Mental Illness Nevada):

The National Alliance on Mental Illness supports S.B. 241. We are in favor of anything that helps, cures and gets patients access to the appropriate medical services. The State does not have these services.

JEANETTE BELZ (Nevada Psychiatric Association):

During the Interim, there was a committee that looked at various salaries of State employees. The Division of Human Resource Management recommended

Senate Committee on Legislative Operations and Elections  
March 4, 2019  
Page 8

five unclassified titles to the committee for inclusion in the salary analysis. The decision to submit these five titles was based on recruitment difficulty, turnover percentage, specialized knowledge skills and abilities required of these positions. One of the positions reviewed was that of senior psychiatrist, and the reason was because of the 52.5 percent turnover rate. Senate Bill 241 is important for Nevada, and we support this bill.

BRIAN EVANS (Nevada State Medical Association):  
Nevada State Medical Association supports S.B. 241. This is good for creation of jobs and access to care.

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



Senate Committee on Legislative Operations and Elections  
March 4, 2019  
Page 9

CHAIR OHRENSCHALL:

I will close the hearing on S.B. 241 and adjourn this meeting at 5:23 p.m.

RESPECTFULLY SUBMITTED:

---

Janae Johnson,  
Committee Secretary

APPROVED BY:

---

Senator James Ohrenschall, Chair

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

<b>EXHIBIT SUMMARY</b>				
<b>Bill</b>	<b>Exhibit / # of pages</b>		<b>Witness / Entity</b>	<b>Description</b>
	A	1		Agenda
	B	3		Attendance Roster
S.B. 24	C	1	John Yacenda / Nevada Silver Haired Legislative Forum	Comparison Table
S.B. 24	D	1	John Yacenda / Nevada Silver Haired Legislative Forum	Proposed Amendment
	E	28	Reba Burton / Nevada Silver Haired Legislative Forum	Bulletin 19-18