

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

**Eighty-First Session
March 3, 2021**

The Committee on Health and Human Services was called to order by Chair Rochelle T. Nguyen at 1:34 p.m. on Wednesday, March 3, 2021, Online. 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/81st2021.

COMMITTEE MEMBERS PRESENT:

Assemblywoman Rochelle T. Nguyen, Chair
Assemblywoman Sarah Peters, Vice Chair
Assemblywoman Annie Black
Assemblywoman Michelle Gorelow
Assemblyman Gregory T. Hafen II
Assemblyman Andy Matthews
Assemblyman David Orentlicher
Assemblywoman Shondra Summers-Armstrong
Assemblywoman Clara Thomas
Assemblywoman Robin L. Titus

COMMITTEE MEMBERS ABSENT:

Assemblywoman Teresa Benitez-Thompson (excused)
Assemblywoman Lisa Krasner (excused)

GUEST LEGISLATORS PRESENT:

None

STAFF MEMBERS PRESENT:

Patrick Ashton, Committee Policy Analyst
Karly O'Krent, Committee Counsel
Abigail Lee, Committee Manager
Terry Horgan, Committee Secretary
Trinity Thom, Committee Assistant



OTHERS PRESENT:

Rique Robb, Deputy Administrator, Aging and Disability Services Division,
Department of Health and Human Services

Chair Nguyen:

[Roll was taken. The Chair reminded Committee members of the protocol of virtual meetings.] Today we have our first work session and we will be proceeding with the work session document that our Research Division has provided to all of you. That document is also available on the Nevada Electronic Legislative Information System for members of the public. Let us begin with Assembly Bill 16. Our Policy Analyst, Patrick Ashton, will summarize the bill.

Assembly Bill 16: Revises provisions related to the issuance of copies of certificates and records of birth. (BDR 40-329)

Patrick Ashton, Committee Policy Analyst:

[Patrick Ashton reviewed the work session document, Exhibit C]. As a reminder, as nonpartisan staff, I can neither advocate nor oppose any measures you will consider today. Members of the Committee, you should have received the work session document by email, and you can also find it on the Nevada Electronic Legislative Information System. We will begin the work session with Assembly Bill 16 which we heard on February 17, 2021.

Assembly Bill 16 prohibits the State Registrar and any person or governmental organization from charging a fee for the issuance of a certified or official copy of a birth certificate or record of birth to a person who submits documentation from the Department of Corrections that the person is currently imprisoned. There were no amendments.

Chair Nguyen:

I would like to remind members of the Committee that we do have most of the bill presenters and some other people here to answer any questions; however, this is not the time to rehash the policy of the bill or to rehear the bill. If any Committee members have any questions or comments they would like to make regarding the bill, please let me know.

ASSEMBLYWOMAN TITUS MADE A MOTION TO DO PASS
ASSEMBLY BILL 16.

ASSEMBLYWOMAN GORELOW SECONDED THE MOTION.

Are there any comments on the motion? [There were none.] We would normally do a voice vote, but because we are in this virtual setting, I will ask the secretary to commence a roll call vote.

THE MOTION PASSED. (ASSEMBLYWOMEN BENITEZ-THOMPSON
AND KRASNER WERE ABSENT FOR THE VOTE.)

I will assign the floor statement to Vice Chair Peters.

With that, we will begin the work session on Assembly Bill 26, and again, I will turn this over to Mr. Ashton to describe the bill and any possible amendments.

**Assembly Bill 26: Revises provisions governing programs of energy assistance.
(BDR 58-298)**

Patrick Ashton, Committee Policy Analyst:

[Patrick Ashton reviewed the work session document, [Exhibit D](#)]. The next bill on our work session document is Assembly Bill 26 which we heard on February 15, 2021. This bill clarifies that the annual report regarding the Fund for Energy Assistance and Conservation prepared and submitted to the money committees by the Division of Welfare and Supportive Services of the Department of Health and Human Services must specify the amount of money in the Fund that: (1) has been allocated to and received by the Division on or before June 30 of all preceding fiscal years; and (2) remains unspent and unencumbered as of December 31 of the fiscal year in which the report is being made.

This bill also clarifies that the Division may be required to distribute a certain percentage of money in the Fund that is unspent and unencumbered on or before June 30 of all preceding fiscal years to the Housing Division of the Department of Business and Industry. There were no amendments.

Chair Nguyen:

Are there any questions from the Committee? [There were none.] Do I have a motion?

ASSEMBLYWOMAN TITUS MADE A MOTION TO DO PASS
ASSEMBLY BILL 26.

ASSEMBLYWOMAN PETERS SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYWOMEN BENITEZ-THOMPSON
AND KRASNER WERE ABSENT FOR THE VOTE.)

As this bill has to do with energy, power, and utilities, I will assign the floor statement to Assemblyman Hafen.

We will now move on to our work session on Assembly Bill 35, and I will turn it over to Patrick Ashton.

Assembly Bill 35: Revises provisions governing certain programs to assist senior citizens and persons with disabilities with costs relating to health care. (BDR 40-288)

Patrick Ashton, Committee Policy Analyst:

[Patrick Ashton reviewed the work session document, [Exhibit E](#)]. Next is Assembly Bill 35, which we heard on February 22, 2021.

This bill consolidates two financial assistance programs for senior citizens and persons with disabilities, financed by the Fund for a Healthy Nevada, into a single program. This bill also revises eligibility requirements for the consolidated program and removes language stating that certain senior citizens and persons with disabilities are entitled to assistance under the program. Under the consolidated program, a person is eligible to receive assistance with prescription drug costs, pharmaceutical services, and certain other services if he or she is a state resident; meets certain requirements prescribed by regulation of the Department of Health and Human Services; and is 60 years of age or older or has a physical or intellectual disability or a related condition. There were no amendments.

Chair Nguyen:

Are there any questions?

Assemblywoman Titus:

I need some clarification on A.B. 35, please. In section 6, it lists people "60 years of age or older." Then, in section 13, it lists people "62 years of age or older." Are there going to be different services depending on age? Was that intentional?

Karly O'Krent, Committee Counsel:

Section 13 of the bill is the definition that is applicable to Chapter 612 of the *Nevada Revised Statutes* (NRS). The remaining provisions of the bill deal with Chapter 439 of NRS, so, to the extent that the bill is consolidating the two programs, the definition "60 years of age or older" would apply.

Assemblywoman Titus:

Was that intentional that they only wanted age 62 under section 13?

Assemblywoman Peters:

During the hearing I asked for clarification on that and it was purposeful, in part, because they were changing only the specific program and not the 62-years-and-up provision. That ensured that that program did not get changed in addition to the specific ones that the bill addresses.

Assemblywoman Titus:

I am sorry I did not pick up on that. Also, I need clarification for the record. During the hearing I asked whether this would increase costs because there was no fiscal note, but the bill did have a notation that it might affect the State. At that time, we were told that there

was a list of folks and that there should not be any additional cost because of that waiting list. I just want to confirm that this bill does not have a fiscal note.

**Rique Robb, Deputy Administrator, Aging and Disability Services Division,
Department of Health and Human Services:**

There is not a fiscal note attached to A.B. 35.

Assemblywoman Titus:

Is that because there is going to be a waiting list and you are not really expanding the number of people who might get the services? If you expand the number of people who are getting the services, there should be an additional cost; however, there are only so many openings. Is that what I am hearing?

Rique Robb:

Correct. There are x number of openings for the current budget, and should they exceed that, we would implement a wait list.

Assemblywoman Titus:

Thank you. That was mostly for clarification.

ASSEMBLYWOMAN TITUS MADE A MOTION TO DO PASS
ASSEMBLY BILL 35.

ASSEMBLYWOMAN GORELOW SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYWOMAN BLACK VOTED NO.
ASSEMBLYWOMEN BENITEZ-THOMPSON AND KRASNER WERE
ABSENT FOR THE VOTE.)

Chair Nguyen:

I will assign that floor statement to Assemblywoman Gorelow, and we will move on to the work session on Assembly Bill 62. Mr. Ashton, I will turn that over to you.

**Assembly Bill 62: Revises provisions relating to the Nevada ABLE Savings Program.
(BDR 38-397)**

Patrick Ashton, Committee Policy Analyst:

[Patrick Ashton reviewed the work session document, [Exhibit F](#)]. Assembly Bill 62 was heard on February 10, 2021. This bill authorizes the state treasurer to include certain procedures for the administration of the Nevada ABLE Savings Program in any regulations adopted by the state treasurer relating to the Program. The bill also: (1) authorizes the state treasurer to apply for and accept any gift, grant, donation, bequest, or other source of money to carry out the Program; and (2) requires the state treasurer to deposit any money so received in the Endowment Account established for the Program. Finally, this bill authorizes

money in the Endowment Account to be used for contributions to savings trust accounts. There are no amendments.

Chair Nguyen:

Are there any questions from the Committee? [There was no response.]

ASSEMBLYWOMAN PETERS MADE A MOTION TO DO PASS
ASSEMBLY BILL 62.

ASSEMBLYWOMAN TITUS SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYWOMEN BENITEZ-THOMPSON
AND KRASNER WERE ABSENT FOR THE VOTE.)

I will assign the floor statement to Assemblywoman Thomas. We will now go to our final work session on Assembly Joint Resolution 1. Mr. Ashton, will you summarize the bill and the amendments, please?

Assembly Joint Resolution 1: Proposes to amend the Nevada Constitution to revise terms relating to persons with certain conditions for whose benefit certain public institutions are supported by the State. (BDR C-477)

Patrick Ashton, Committee Policy Analyst:

[Patrick Ashton reviewed the work session document, [Exhibit G](#)]. Assembly Joint Resolution 1 was heard on February 10, 2021. This resolution proposes to amend Section 1 of Article 13 of the *Nevada Constitution* by replacing the description of persons who benefit from institutions fostered and supported by the state from: (1) "insane" to "persons with a significant mental illness"; (2) "blind" to "persons who are blind or visually impaired"; and (3) "deaf and dumb" to "persons who are deaf or hard of hearing."

This resolution has two amendments. The first is proposed by Jennifer Richards, Chief Elder and Disability Rights Attorney, Aging and Disability Services Division, Department of Health and Human Services. You may also see the attached document [page 2, [Exhibit G](#)]. This amendment would change the wording on page 1, line 7, by inserting "or persons who have an intellectual or developmental disability" before the word "and." This addition is intended to ensure that all persons with disabilities are included under Section 1 of Article 13 of the *Nevada Constitution*, including persons with intellectual or developmental disabilities.

The second amendment is from Assemblywoman Titus who proposes to add the following sponsors to the measure: Primary joint sponsors are Senators Joseph (Joe) P. Hardy, M.D., Dallas Harris, and Heidi Seevers Gansert. Assembly members are Teresa Benitez-Thompson and Lisa Krasner. Nonprimary joint sponsors are Senators Ben Kieckhefer and Julia Ratti and Assembly members Michelle Gorelow, Gregory T. Hafen II, Alexis Hansen, Melissa Hardy, Andy Matthews, Rochelle T. Nguyen, David Orentlicher, Sarah Peters, Shondra Summers-Armstrong, and Clara (Claire) Thomas.

Chair Nguyen:

Are there any questions from Committee members about A.J.R. 1 and the proposed amendments?

Assemblywoman Summers-Armstrong:

Has Assemblywoman Titus given any consideration to my suggestion?

Chair Nguyen:

Assemblywoman Titus, have you given any consideration to her amendment?

Assemblywoman Titus:

I thought I had responded to your suggestion. I felt that was pretty well covered by the state's recommended amendment which adds "intellectual or developmental" disabilities. We want to get this right because it is a constitutional change, so if you still have concerns that we need additional clarification language, or if that did not resolve your question, you can reach out when this bill goes over to the Senate. We can do the same amendment process if you need further clarification.

Assemblywoman Summers-Armstrong:

Thank you, I appreciate that.

Chair Nguyen:

Are there any other questions from Committee members? [There was no reply.] Seeing none, I will entertain a motion to amend and do pass A.J.R. 1.

ASSEMBLYWOMAN PETERS MADE A MOTION TO AMEND AND DO
PASS ASSEMBLY JOINT RESOLUTION 1.

ASSEMBLYMAN HAFEN SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYWOMEN BENITEZ-THOMPSON
AND KRASNER WERE ABSENT FOR THE VOTE.)

I will assign that floor statement to Assemblywoman Titus.

[[Exhibit H](#) was submitted but not discussed and will become part of the record.]

That closes out our work session for today. Committee members, we do have three bill draft requests (BDRs) from the Legislative Committee on Health Care. It was an interim committee that voted out several recommendations. They do require a Committee introduction, and I would like to introduce them today. Please note that by voting in favor of introducing the BDR, it does not imply a commitment to vote or even support the measure later. The action just allows the BDR to become a bill, be introduced on the floor, and be referred to the Committee for possible hearing.

We will begin with BDR 38-449. It requires the State Plan for Medicaid to include coverage for services of a community health worker in certain circumstances. Do I have a motion to introduce BDR 38-449?

BDR 38-449—Requires the State Plan for Medicaid to include coverage for the services of a community health worker under certain circumstances. (Later introduced as [Assembly Bill 191](#).)

ASSEMBLYWOMAN GORELOW MADE A MOTION TO INTRODUCE
BDR 38-449.

ASSEMBLYWOMAN TITUS SECONDED THE MOTION.

Chair Nguyen:

Is there any discussion? [There was no response.]

THE MOTION PASSED. (ASSEMBLYWOMEN BENITEZ-THOMPSON
AND KRASNER WERE ABSENT FOR THE VOTE.)

The next bill draft request we would like to introduce today is BDR 38-452. It expands Medicaid coverage of postpartum and other services for pregnant women. Do I have a motion to introduce BDR 38-452?

BDR 38-452—Expands Medicaid coverage of postpartum and other services for pregnant women. (Later introduced as [Assembly Bill 193](#).)

ASSEMBLYWOMAN GORELOW MADE A MOTION TO INTRODUCE
BDR 38-452.

ASSEMBLYWOMAN SUMMERS-ARMSTRONG SECONDED THE
MOTION.

THE MOTION PASSED. (ASSEMBLYWOMEN BENITEZ-THOMPSON
AND KRASNER WERE ABSENT FOR THE VOTE.)

Chair Nguyen:

Next, we will move on to BDR 40-453 which revises provisions governing the testing of pregnant women for certain sexually transmitted infections. Do I have a motion to introduce BDR 40-453?

BDR 40-453—Revises provisions governing the testing of pregnant women for certain sexually transmitted infections. (Later introduced as [Assembly Bill 192](#).)

ASSEMBLYWOMAN THOMAS MADE A MOTION TO INTRODUCE
BDR 40-453.

ASSEMBLYWOMAN PETERS SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYWOMEN BENITEZ-THOMPSON
AND KRASNER WERE ABSENT FOR THE VOTE.)

With that, we will begin public comment. As a reminder to those providing public comment, please clearly state and spell your name and limit your comment to two minutes. [There was no one for public comment.]

Are there any comments from Committee members? [There was no response.] This concludes today's meeting. We will not be meeting on Friday. I do not know what our schedule looks like for next week, but we received quite a few more bills and I anticipate that we will be having hearings on committee bills that came out of the interim as well as individual member bills that are pending. With that, the meeting is adjourned [at 2:01 p.m.].

RESPECTFULLY SUBMITTED:

Terry Horgan
Committee Secretary

APPROVED BY:

Assemblywoman Rochelle T. Nguyen, Chair

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

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

[Exhibit C](#) is the Work Session Document for Assembly Bill 16, presented by Patrick Ashton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit D](#) is the Work Session Document for Assembly Bill 26, presented by Patrick Ashton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit E](#) is the Work Session Document for Assembly Bill 35, presented by Patrick Ashton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit F](#) is the Work Session Document for Assembly Bill 62, presented by Patrick Ashton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit G](#) is the Work Session Document for Assembly Joint Resolution 1, presented by Patrick Ashton, Committee Policy Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit H](#) is a letter to Chairwoman Nguyen and Members of the Committee, dated March 2, 2021, submitted by Jennifer M. Richards, Chief Elder and Disability Rights Attorney, Aging and Disability Services Division, Department of Health and Human Services, providing additional information concerning Assembly Bill 62.