

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

**Eighty-first Session
May 11, 2021**

The Senate Committee on Health and Human Services was called to order by Chair Julia Ratti at 3:38 p.m. on Tuesday, May 11, 2021, Online and in Room 2134 of the Legislative Building, Carson City, Nevada. [Exhibit A](#) is the Agenda. 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 Dallas Harris
Senator Joseph P. Hardy
Senator Ben Kieckhefer

GUEST LEGISLATORS PRESENT:

Senator Nicole J. Cannizzaro, Senatorial District No. 6
Assemblywoman Sarah Peters, Assembly District No. 24
Assemblywoman Clara Thomas, Assembly District No. 17

STAFF MEMBERS PRESENT:

Megan Comlossy, Policy Analyst
Eric Robbins, Counsel
Norma Mallett, Committee Secretary

OTHERS PRESENT:

Stephanie Woodard, Psy.D., Senior Advisor on Behavioral Health, Division of Public and Behavioral Health, Department of Health and Human Services
Kyra Morgan, Chief Biostatistician, Division of Public and Behavioral Health, Department of Health and Human Services
Ashley Jeppson, Division Administrator, Plant Industry Division, State Department of Agriculture
David Clyde, Associate General Counsel, Regional Transportation Commission of Southern Nevada

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Emily Walsh, Nevada Conservation League
Michael Hillerby, Regional Transportation Commission of Washoe County
Cyrus Hojjaty

CHAIR RATTI:

I will open the work session on Assembly Bill (A.B.) 96.

ASSEMBLY BILL 96 (1st Reprint): Revises provisions relating to emergency response employees. (BDR 40-96)

MEGAN COMLOSSY (Policy Analyst):

I will read the summary of A.B. 96 from the work session document ([Exhibit B](#)).

CHAIR RATTI:

I will entertain a motion on A.B. 96.

SENATOR SPEARMAN MOVED TO DO PASS A.B. 96.

SENATOR HARRIS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR RATTI:

I will open the work session on A.B. 119.

ASSEMBLY BILL 119 (1st Reprint): Revises provisions relating to the Maternal Mortality Review Committee. (BDR 40-740)

Ms. COMLOSSY:

I will read the summary of A.B. 119 from the work session document ([Exhibit C](#)).

CHAIR RATTI:

I will entertain a motion on A.B. 119.

SENATOR SPEARMAN MOVED TO DO PASS A.B. 119.

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SENATOR HARRIS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR RATTI:

I will open the work session on A.B. 177.

ASSEMBLY BILL 177 (1st Reprint): Revises provisions relating to prescriptions.
(BDR 54-61)

Ms. COMLOSSY:

I will read the summary of A.B. 177 and the amendments from the work session document (Exhibit D).

CHAIR RATTI:

I will entertain a motion on A.B. 177.

SENATOR HARRIS MOVED TO AMEND AND DO PASS AS AMENDED
A.B. 177.

SENATOR SPEARMAN SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR HARDY VOTED NO.)

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SENATOR HARDY:

I am voting no but reserve my right to change my vote during the Floor Session.

CHAIR RATTI:

I will open the work session on A.B. 181.

ASSEMBLY BILL 181 (1st Reprint): Revises provisions relating to mental health.
(BDR 40-522)

MS. COMLOSSY:

I will read the summary of A.B. 181 and the amendments from the work session document ([Exhibit E](#)).

SENATOR HARDY:

I have concerns about healthcare providers when a situation may be discoverable even though it is "confidential." How do we protect the person's identity when it comes from an individual practice versus a hospital?

ASSEMBLYWOMAN SARAH PETERS (Assembly District No. 24):

I appreciate the question and will pass it on to Dr. Stephanie Woodard who may be more versed in the specifics of this question.

STEPHANIE WOODARD, PSY.D. (Senior Advisor on Behavioral Health, Division of Public and Behavioral Health, Department of Health and Human Services):
The intent of the legislation is that regulations will stipulate which providers we expect to make these reports. We are looking for these reports primarily to come from providers within hospital settings not independent practices. This legislation would fall under *Nevada Revised Statutes* (NRS) 441A where communicable diseases and highly sensitive data need the ultimate confidentiality and data protection. The data are transmitted to the Division of Public and Behavioral Health and held by the Office of Analytics.

KYRA MORGAN (Chief Biostatistician, Division of Public and Behavioral Health, Department of Health and Human Services):

Dr. Woodard is correct. Our plan would be to utilize existing data processing mechanisms we have in place under NRS 441A and extend those to include these data on suicide and suicide attempts. The mechanisms for confidentiality are completely in place, and we would hold the data as confidential. We would not release anything in any kind of public setting that would allow for reidentification of an individual.

SENATOR HARDY:

Does this only apply to hospitals or is there a provider of health care other than a hospital that has to do this, for instance, a group practice or an individual person? Are any of those captured in this or is it just hospitals?

DR. WOODARD:

The intent at this time is just hospitals. The regulations we develop subsequent to this legislation would define that and provide further clarity.

CHAIR RATTI:

To provide clarity, it is not explicitly in the bill, but the intent is to only do a regulatory process that would lead toward hospitals.

SENATOR HARDY:

I will be voting no with a right to change my vote.

ERIC ROBBINS (Counsel):

I am providing clarification for our drafting purposes. The bill says a provider of health care who knows of or provides services to a person who has attempted suicide would be required to report in the manner prescribed by the regulations of the State Board of Health. The bill does not expressly provide for the Board to adopt regulations that designate the providers, which seems to be what Dr. Woodard was saying would happen. I am wondering if that should be explicitly added to the amendment.

CHAIR RATTI:

Assemblywoman Peters, would you like that language explicitly added to the amendment, that it is the intent of the bill to identify the providers in the regulatory process?

ASSEMBLYWOMAN PETERS:

Yes, I would appreciate that. I thought in the amendment there was language that clarified facilities or providers which would then have to be defined in the regulatory process.

CHAIR RATTI:

There are two proposed amendments.

Ms. COMLOSSY:

The bill page of the work session document, item 2, requires either a provider of health care or the medical facility in which the healthcare provider works to report required information related to attempted suicide. It does not relate to the regulatory piece. If the intent is to have the State Board of Health adopt regulations identifying which types of healthcare providers or provider facilities

must report this information, then we will add that as an additional amendment on the record and we can make that happen in the next reprint.

ASSEMBLYWOMAN PETERS:
Yes, that works for everyone.

CHAIR RATTI:
Dr. Woodard and Ms. Morgan, can you implement this based on this conversation?

DR. WOODARD:
Yes, we can.

CHAIR RATTI:
Mr. Robbins, do you have the intent for drafting the language?

MR. ROBBINS:
Yes.

CHAIR RATTI:
I will entertain a motion for A.B. 181.

SENATOR HARRIS MOVED TO AMEND AND DO PASS AS AMENDED
A.B. 181.

SENATOR SPEARMAN SECONDED THE MOTION.

SENATOR HARDY:
I will vote no, but reserve my right to change my vote during Floor Session.

THE MOTION CARRIED. (SENATOR HARDY VOTED NO.)

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CHAIR RATTI:
I will open the work session on A.B. 217.

ASSEMBLY BILL 217: Requires training for unlicensed caregivers at certain facilities. (BDR 40-454)

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Ms. COMLOSSY:

I will read the summary of A.B. 217 from the work session document ([Exhibit F](#)).

CHAIR RATTI:

I will entertain a motion on A.B. 217.

SENATOR SPEARMAN MOVED TO DO PASS A.B. 217.

SENATOR HARDY SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR RATTI:

I will open the work session on A.B. 399.

ASSEMBLY BILL 399 (1st Reprint): Revises provisions governing the production and sale of eggs and egg products. (BDR 51-559)

Ms. COMLOSSY:

I will read the summary of A.B. 399 and the amendment from the work session document ([Exhibit G](#)).

SENATOR KIECKHEFER:

I missed the meeting on this bill. Is the amendment before us the same as proposed at the meeting?

Ms. COMLOSSY:

Yes.

CHAIR RATTI:

I will entertain a motion on A.B. 399.

SENATOR SPEARMAN MOVED TO AMEND AND DO PASS AS AMENDED A.B. 399.

SENATOR HARRIS SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR RATTI:

I will open the work session on Senate Bill (S.B.) 420.

SENATE BILL 420: Revises provisions relating to health insurance. (BDR 57-251)

Ms. COMLOSSY:

I will read the summary of S.B. 420 and the amendments from the work session document ([Exhibit H](#)).

SENATOR NICOLE J. CANNIZZARO (Senatorial District No. 6):

The version of the conceptual amendment includes the different changes we made to clarify some aspects of the Public Option concerning Medicaid or better reimbursements, and who would need to bid on the Public Option. It includes the allowance for multi-employer plans to apply to get federal acceptance to offer some of their plans to employees who might otherwise be without health insurance. Additionally, thanks to a question raised by Senator Kieckhefer with respect to the 15 percent for the premium reductions, we did add language to clarify that does apply to the Public Option only. It was not intended to apply to all health care plans.

CHAIR RATTI:

I will entertain a motion on S.B. 420.

SENATOR HARRIS MOVED TO AMEND AND DO PASS AS AMENDED
S.B. 420.

SENATOR SPEARMAN SECONDED THE MOTION.

SENATOR KIECKHEFER:

We have incredible tools at our disposal to tackle the uninsured population in Nevada via continued outreach through Medicaid as well as the eligible but unenrolled population for the Silver State Health Insurance Exchange, knowing they have a significant increase in subsidies through the American Rescue Plan Act of 2021. Without understanding how we are going to capture some of the

other populations of uninsureds, I cannot support the bill at this time based on the disruption we will have in the insurance market. The bill directs the Director of the Department of Health and Human Services, the Director of the Silver State Health Insurance Exchange and the Commissioner of Insurance in the Department of Business and Industry to implement this public health benefit plan. We have not heard from them as to either the policy or applicability. I am uncomfortable with the bill at this time.

CHAIR RATTI:

I agree with Senator Kieckhefer. We must continue to use the available tools we have to get as many people covered and eligible for subsidies who have not yet signed up for them. I will promote that the marketplace is unusually open at this time of year. If people need health insurance, they can go to the marketplace and see if they qualify for subsidies. There have been numerous efforts to do that and we need to do more.

We are still missing a whole subset of Nevadans who need another option and this bill for a Public Option is good. I am hopeful this will generate some buzz that will lead people to check out what they qualify for. Even if they do not sign up for the Public Option, they may find out they are eligible for Medicaid and a subsidy in the marketplace. I support this bill and realize there is a long lead time to get the actuarial information we need to proceed. That information will be invaluable to this State in terms of how we move forward.

SENATOR SPEARMAN:

I have heard from people on both sides and understand how some feel it is more complicated than what we should get into right now. Based upon what has happened to Nevadans, especially during Covid-19 and to the Black, Indigenous and People of Color communities, the Larry A. Green Center has an excellent report that deals with how communities of color have been impacted by Covid-19. We need to make sure people have insurance options. Some will say it is not perfect, but we should not let perfect be the enemy of good.

SENATOR HARDY:

One of the concerns I have about the Public Option is regarding people becoming discouraged when they look at 2025 or 2026. We have a virtual public option now that is not as used as we would like it. I will be not be supporting this measure, as well-intentioned as it may be.

SENATOR HARRIS:

I think this is a great bill and, unfortunately, needed. If the private sector was providing health care to everyone at a reasonable cost, this bill would not be a consideration. It is not. It is entirely appropriate for the government to step in and try to offer something people can afford. We bear the costs when people go uninsured. It is our responsibility to make sure there are options out there for people and that they are staying healthy. I will be supporting this bill today.

THE MOTION CARRIED. (SENATORS HARDY AND KIECKHEFER VOTED NO.)

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CHAIR RATTI:

I will now open the hearing on S.B. 438.

SENATE BILL 438: Revises provisions related to agriculture. (BDR 51-1100)

ASHLEY JEPPSON (Division Administrator, Plant Industry Division, State Department of Agriculture):

I am presenting S.B. 438. The goal is for the Department of Agriculture to adopt the produce safety-rule portions of the Food Safety Modernization Act. This is a federal law that requires farms of a designated size and scope to comply with the Code of Federal Regulations. They are aimed at preventive rather than reactionary measures dealing with produce safety outbreaks. We learned a lot from outbreaks that have happened on farms or in distribution systems. The goal is for the Department to adopt these produce safety rules so they can be enforced on a State level versus under the U.S. Food and Drug Administration (FDA). The bill also allows the Department to react should there be an immediate public safety risk pertaining to food.

CHAIR RATTI:

This bill is moving federal regulations to the State level. Do we have adequate resources to do this?

MS. JEPPSON:

Yes. We conducted a survey to gauge whether our producers would prefer to see this on a State level versus having FDA perform the inspections, and it was an overwhelming yes for the State. Part of the reason justifying this request is

that we have to adopt the produce rules in order for us to receive federal resources. We operate under a cooperative agreement. We have to have this adopted in statutes.

CHAIR RATTI:

So you need the regulations to draw down the resources?

MS. JEPPSON:

Yes.

CHAIR RATTI:

Hearing no further testimony, I will close the hearing on S.B. 438. I will open the hearing on A.B. 343.

ASSEMBLY BILL 343 (1st Reprint): Provides for the development of plans for conducting walking audits of urbanized areas in certain counties.
(BDR S-742)

ASSEMBLYWOMAN CLARA THOMAS (Assembly District No. 17):

I am presenting A.B. 343 in its First Reprint, which is a step toward improving the health of Nevadans. I have submitted my written presentation ([Exhibit I](#)).

DAVID CLYDE (Associate General Counsel, Regional Transportation Commission of Southern Nevada):

The Regional Transportation Commission of Southern Nevada (RTC) is proposing a friendly amendment to A.B. 343 that will assist in effectuating the bill's objectives relating to promoting safer and more livable communities. I have submitted our proposed amendment ([Exhibit J](#)).

ASSEMBLYWOMAN THOMAS:

I urge the support and use of walking audits and better understanding of community needs.

SENATOR HARDY:

How did you come up with such a wonderful bill?

ASSEMBLYWOMAN THOMAS:

The walking audit came from walking the community last summer when we had the devastating prospect of our children not being able to access the internet.

We had little place cards that we put on doors and cars to have parents be able to access the internet. With that, I noticed crumbling sidewalks and dimmed street lamps causing me to be frightened at night because of not knowing if dogs would come out. It was suggested by Senator Dina Neal that we should do a walking audit and that is how this bill came about.

EMILY WALSH (Nevada Conservation League):

We support A.B. 343. Nevada is the eleventh most dangerous state in the Nation for pedestrians. We must do a better job of making sure our streets are safe for everyone. This bill will help our State better understand and address walkable neighborhoods and move toward creating safe environments for pedestrians, bicyclists, motorists and transit riders. Walkable neighborhoods increase equal opportunity, promote healthier communities and can help make them safer and more accessible and enjoyable for everyone. Increasing walkability can also encourage people to leave their cars behind thus reducing greenhouse gas emissions and pollution.

MICHAEL HILLERBY (Regional Transportation Commission of Washoe County):

We are neutral on A.B. 343. We have not been in front of our board with the changes in the proposed amendment. Much of what is envisioned in the bill includes things the RTC does. We obviously invest a lot in multi-modal transportation, traffic safety, pedestrian and bicycle safety and making sure the streets and facilities RTC has jurisdiction over meet those criteria. We work regularly with the organizations outlined in the bill. We appreciate the addition in the amendment. Both RTCs are sizable agencies governed by elected officials in our respective areas and the idea of having a bill draft request available certainly makes sense to us.

CYRUS HOJJATY:

I am neutral on A.B. 343. I like this bill and echo the remarks of the previous callers. I would like the bill to address crosswalks that are paved rather than asphalt, so people can see them when they drive due to the paint on the streets fading away, especially in Las Vegas. I think raised crosswalks are a better alternative than stop signs. Roundabouts, particularly turbo roundabouts like in Europe, move car traffic and pedestrian flow more effectively. There a lot of things missing in the bill; however, pedestrian safety is a very important issue. A lot of people cannot afford cars. The roads we design, especially the major arterial roads, need serious reform.

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CHAIR RATTI:

I will now close the hearing on A.B. 343. Hearing no public testimony, the meeting is adjourned at 4:36 p.m.

RESPECTFULLY SUBMITTED:

Norma Mallett,
Committee Secretary

APPROVED BY:

Senator Julia Ratti, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit Letter	Begins on Page	Witness / Entity	Description
	A	1		Agenda
A.B. 96	B	1	Megan Comlossy	Work Session Document
A.B. 119	C	1	Megan Comlossy	Work Session Document
A.B. 177	D	1	Megan Comlossy	Work Session Document
A.B. 181	E	1	Megan Comlossy	Work Session Document
A.B. 217	F	1	Megan Comlossy	Work Session Document
A.B. 399	G	1	Megan Comlossy	Work Session Document
S.B. 420	H	1	Megan Comlossy	Work Session Document
A.B. 343	I	1	Assemblywoman Clare Thomas	Bill Presentation
A.B. 343	J	1	David Clyde / Regional Transportation Commission of Southern Nevada	Proposed Amendment