



NEVADA LEGISLATURE

NEVADA SILVER HAired LEGISLATIVE FORUM

(Nevada Revised Statutes 427A.320 through 427A.400)

SUMMARY MINUTES AND ACTION REPORT

The fourth meeting of the Nevada Silver Haired Legislative Forum (NSHLF) for the 2009-2010 interim period was held on Tuesday, May 18, 2010, at 10 a.m. in Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. The meeting was videoconferenced to Room 3137 of the Legislative Building, 401 South Carson Street, Carson City, Nevada, and to Room 124, Greenhaw Technical Arts Center, Great Basin College, Elko, Nevada.

A copy of this set of "Summary Minutes and Action Report," including the "Meeting Notice and Agenda" ([Exhibit A](#)) and other substantive exhibits, is available on the Nevada Legislature's Web site at www.leg.state.nv.us/Interim. In addition, copies of the audio-video record may be purchased through the Legislative Counsel Bureau's Publications Office (e-mail: publications@lcb.state.nv.us; telephone: 775/684-6835.)

FORUM MEMBERS PRESENT IN LAS VEGAS:

Lucy Peres, President

Clo Banks

Joann M. Bongiorno
Evelyn A. Cannestra, M.S.W.
Richard C. Doyle
Verlia Davis Hoggard
Herbert W. Perry, CPA/EA
Herbert E. Randall, Ed.D.
Mary D. Roberts
Rick A. Stanfill
Ronald E. Stoller
Harriet Trudell

FORUM MEMBERS PRESENT IN CARSON CITY:

Reba June Burton

Ruth H. Hart

Margaret Spooner

FORUM MEMBER PRESENT IN ELKO:

Ray B. Jones

FORUM MEMBERS ABSENT (EXCUSED):

Alice Adams

Jane Maxfield

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:

Mary Shope, Coordinator, NSHLF, Administrative Division, Las Vegas Office

I. CALL TO ORDER AND OPENING REMARKS

Lucy Peres, Forum President, called the Nevada Silver Haired Legislative Forum's (NSHLF) meeting to order. Roll was called and a quorum was determined to be present.

President Peres welcomed guests and members of the public.

II. DISCUSSION CONCERNING THE CREATION OF A STATEWIDE ALERT SYSTEM FOR THE SAFE RETURN OF MISSING OLDER PERSONS

Mary Shope, Coordinator of the NSHLF, opened the discussion with background information on silver alert initiatives and programs by providing references to the Legislative history of AB4, the Executive Agency Fiscal Note, and the Mock-Up Proposed Amendment 3979 to Assembly Bill No. 4 ([Exhibit B](#)); the National Association of State Units on Aging's (NASUA) SILVER ALERT INITIATIVES IN THE STATES, Protecting Seniors with Cognitive Impairments ([Exhibit C](#)); and *The New York Times* article, "More Wander Off in Fog of Age." ([Exhibit D](#)).

President Peres added to the discussion by addressing the Forum's concerns for bill sponsorship. Ms. Shope shared information on upcoming Legislative Committee meetings where proposed bill drafts would be considered. President Peres requested Forum members solicit public support. Reba June Burton suggested the members take the opportunity to inform legislative candidates and ask for their support.

Robert D. Fisher, Chief Executive Officer and President, Nevada Broadcasters Association, State Coordinator and Chairman of Amber Alert, and member of the Homeland Security Commission, detailed misstatements where comparisons between Amber Alert and Silver Alert are detrimental. Mr. Fisher recommended the sponsor of the proposed legislation be legislative leadership and supportive co-sponsors. He stated the key to passage and effectiveness included well-written language which would pass the test of time. Additionally, he suggested the Forum address the challenges of immunity. Mr. Fisher identified the use of technology as critical, along with the endorsement from the Nevada Sheriffs' and Chiefs' Association. In addition, he emphasized the fiscal impact of this proposal must be neutral. Mr. Fisher offered his continued assistance. The Forum members thanked him for his support.

Francis Mahoney, Founder, Nevada Center for Missing Loved Ones, acknowledged his support for the proposal. He suggested the importance of a public relations campaign. He indicated law enforcement was important and that the proposed contact agency be clearly defined and written.

President Peres asked for suggestions from the Forum members. Harriet Trudell suggested the Forum members contact their legislators, all legislators, and the current candidates to promote the proposal. Joann M. Bongiorno suggested a public awareness campaign with the assistance of Nevada Broadcasters Association. Richard C. Doyle suggested the Forum begin work on the language. Evelyn A. Cannestra requested Forum members ask for the politicians' support during the campaign.

Lou Toomin, private citizen, Las Vegas, shared his concern about AB4's fiscal note and stated that any fiscal note during the upcoming Session would be detrimental to the proposal.

Mr. Fisher, previously identified, stated his concerns about any fiscal note, and indicated the solution might be a voluntary and local system. He encouraged the Forum obtain dedicated funding for an awareness campaign for the passage of the legislation. Mr. Fisher reiterated the criteria must be specific, but most critically, he reported the necessity of the support from the Nevada Sheriffs' and Chiefs' Association.

John Yacenda, Ph.D. private citizen, Carson City, shared his support for Silver Alert and offered his assistance.

The NSHLF **APPROVED THE FOLLOWING ACTION:**

CHARLES E. PERRY MOVED TO SEND A RECOMMENDATION LETTER TO THE LEGISLATIVE COMMITTEES AND TO REVISE THE BDR LANGUAGE. EVELYN A. CANNESTRA SECONDED THE MOTION, WHICH PASSED UNANIMOUSLY.

During discussion on the motion, Mr. Doyle recommended the development of the criteria be the first step. Ms. Trudell and Verlia Davis Hoggard suggested the Forum begin the public awareness

campaign, regardless of the revisions and final language. Ms. Trudell stated she appreciated Mr. Fisher's efforts by broadcasting senior and community issues. Herbert E. Randall, indicated the suggestions were not exclusive of each other, in fact, they could notify the legislators and begin revisions at the same time. President Peres realized the importance of both efforts – to notify the public and to improve the language of the proposal.

III. DISCUSSION CONCERNING LONG-TERM CARE

Mr. Doyle opened the discussion on long term health care by sharing certain adverse conditions, where complaints were submitted but not resolved. He recommended Forum members work with state licensing agencies and boards to enforce the regulations, including stricter sanctions. President Peres stated strengthening long-term care statutory language would improve transparency to include residency requirements and patient care. Ms. Shope provided written testimony from Kathleen Buchanan, Clark County Public Guardian, recommending specific improvements in the operation of group homes. ([Exhibit E](#))

Teresa L. Stricker, State Ombudsman, Office of the Nevada State Long Term Care Ombudsman Program, Aging and Disability Services Division (ADSD), Department of Health and Human Services shared background divisional information, agency contact information, and the role of the Ombudsman's program. She stated the Ombudsman is responsible for investigation and resolution of complaints, routine inspections, training of personnel and advocacy for family members. The responsibility does not include elder abuse investigation which is performed by ADSD's Elder Protective Services. She reported the administrator of the long term care facility is ultimately the one responsible for the supervision of the resident.

Forum members shared concerns about the quality of care in long term health care facilities. Ms. Stricker indicated that the Ombudsman's program investigates concerns, if requested.

IV. DISCUSSION OF FUTURE AGENDA ITEMS, MEETINGS DATES, AND EXPENDITURES

President Peres opened the discussion on future agenda items, meetings dates, and expenditures.

After reviewing the calendar and consulting with President Peres, Ms. Shope will notify the Forum members and public of the next meeting.

X. PUBLIC COMMENT

- Rajka Campagiorni, private citizen, Las Vegas, and member of Citizens for Patient Dignity, asked for the Forum's assistance to address long term health care. She indicated active enforcement of legislation would improve the care, and noted the regulatory agencies are not working. ([Exhibit F](#))
- Ruth H. Hart notified members in the North of the recent crimes targeting seniors and asked them to be alert when out in the community. Ms. Cannestra shared concerns about crime in the Southern Nevada. Ms. Bongiornio suggested members and the public share responsibility for remaining safe by taking precautions to be more alert and aware of surroundings.
- Lou Toomin, previously identified, shared his concerns about meeting participation and offered suggestions for improving attendance.
- Rita Roland Kindley, private citizen, Las Vegas, and member of Citizens for Patient Dignity, shared concerns centering on patient rights, adequate nursing care, and retaliatory practices by the nursing staff.

Ms. Kindley requested the Forum's assistance to protect the most vulnerable seniors. She encouraged enforcement of the existing regulations and suggested legislation for mandatory staffing, background checks, pharmaceutical oversight responsibility, mandatory autopsies for all deaths occurring at facilities, mandatory prosecution of elder abuse, enforcement of patients' rights, increased inspections of facilities, medical staff licensing and training, transparency of nursing home practices, and utilization of videocamera surveillance. ([Exhibit G](#))

ADJOURNMENT

There being no further business to come before the Forum, the meeting was adjourned at 12:15 p.m.

Respectfully submitted,

Mary Shope, Coordinator

Nevada Silver Haired Legislative Forum

APPROVED BY:

Date: _____

Lucy Peres, President

Nevada Silver Haired Legislative Forum

_____ Date: _____

Harriet Trudell, Secretary

Nevada Silver Haired Legislative Forum

LIST OF EXHIBITS

[Exhibit A](#) is the “Meeting Notice and Agenda” for May 18, 2010, provided by Mary Shope, Coordinator, Nevada Silver Haired Legislative Forum, Administrative Division, Legislative Counsel Bureau.

[Exhibit B](#) is the Legislative history of AB4, the Executive Agency Fiscal Note, and the Mock-Up Proposed Amendment 3979 to Assembly Bill No. 4, provided by Mary Shope, Coordinator.

[Exhibit C](#) is the report by the National Association of State Units on Aging (NASUA) entitled, “SILVER ALERT INITIATIVES IN THE STATES, Protecting Seniors with Cognitive Impairments”, dated 3/22/2010, provided by Mary Shope, Coordinator.

[Exhibit D](#) is the *The New York Times* article titled “More Wander Off in Fog of Age”, by Kirk Johnson, dated May 4, 2010, provided by Mary Shope, Coordinator.

[Exhibit E](#) is the written testimony titled “Overview of Public Guardian – Guardianship”, Kathleen Buchanan, Clark County Guardian, dated March 24, 2010, provided by Mary Shope, Coordinator.

[Exhibit F](#) is the written testimony titled “Our Challenge as Americans”, provided by Rajka Campagiorni, private citizen, Las Vegas, and member of Citizens for Patient Dignity.

[Exhibit G](#) is the written testimony titled “Proposals for New Laws to be Considered for Drafting During the 2011 Legislative Session” and “Proposals”, provided by Rita Rowland Kindley, private citizen, Las Vegas, and member of Citizens for Patient Dignity.

This set of “Summary Minutes and Action Report” is supplied as an informational service. Exhibits in electronic format may not be complete. Copies of the complete exhibits, other materials distributed at the meeting, and the audio record are on file in the Research Library of the Legislative Counsel Bureau, Carson City, Nevada. You may contact the Library online at www.leg.state.nv.us/lcb/research/library/feedbackmail.cfm or telephone: 775/684-6827.