



**NEVADA LEGISLATURE**  
**LEGISLATIVE COMMITTEE ON HEALTH CARE**  
*(Nevada Revised Statutes [NRS] 439B.200)*

**SUMMARY MINUTES AND ACTION REPORT**

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The second meeting of the Nevada Legislature’s Legislative Committee on Health Care was held on Tuesday, February 14, 2012, at 9 a.m. in Room 4412 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. The meeting was videoconferenced to Room 3138 of the Legislative Building, 401 South Carson Street, Carson City, 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 website at <http://www.leg.state.nv.us/interim/76th2011/committee>. In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau’s (LCB) Publications Office (e-mail: [publications@lcb.state.nv.us](mailto:publications@lcb.state.nv.us); telephone: 775/684-6835).

**COMMITTEE MEMBERS PRESENT IN LAS VEGAS:**

Assemblywoman April Mastroluca, Chair  
Senator Shirley A. Breeden  
Senator Joseph P. Hardy, M.D.  
Assemblyman Crescent Hardy

**COMMITTEE MEMBER ABSENT:**

Senator Valerie Wiener (Excused)

**OTHER LEGISLATOR PRESENT:**

Assemblywoman Maggie Carlton

**LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:**

Marsheilah D. Lyons, Principal Research Analyst, Research Division  
Risa B. Lang, Chief Deputy Legislative Counsel, Legal Division  
Anne Vorderbruggen, Senior Research Secretary, Research Division

## **OPENING REMARKS**

- Assemblywoman April Mastroluca, Chair, welcomed members, presenters, and the public to the second meeting of the Legislative Committee on Health Care. She announced that Assemblywoman Peggy Pierce has resigned from the Committee and Assemblywoman Maggie Carlton will be her replacement. Chair Mastroluca noted that Assemblywoman Carlton will be participating in the discussion at this meeting but will not be able to vote until after her appointment is approved by the Legislative Commission.

## **PUBLIC COMMENT**

- Chair Mastroluca called for public comment; however, no testimony was presented.

## **PRESENTATION CONCERNING THE DIAGNOSIS, PREVENTION, AND LONG-TERM CARE OF PATIENTS WITH ALZHEIMER'S DISEASE**

- Carol Sala, Administrator, Aging and Disability Services Division (ADSD), Department of Health and Human Services (DHHS), provided testimony regarding the following: (Please see [Exhibit B](#).)
  1. The mission and responsibility of the ADSD;
  2. Grants awarded to the ADSD specific to Alzheimer's disease;
  3. The four agencies ADSD partners with that have specialized in various components of the overall grant work plan are the Alzheimer's Association—Northern Nevada and Northern California, Alzheimer's Association—Desert Southwest; University of Nevada, Reno, Caregiver Support Center; and Cleveland Clinic Lou Ruvo Center for Brain Health;
  4. The Nevada Lifespan Respite Care Program;
  5. Grant funding provided to community providers to support caregivers;
  6. The Long-Term Care Ombudsman Program;
  7. The Out-of-State Task Force on Long-Term Care in Northern Nevada; and
  8. Assembly Concurrent Resolution No. 10 (File No. 42, *Statutes of Nevada 2011*).
- Wendy Simons, Chief, Bureau of Health Care Quality and Compliance (BHCQC), Health Division, DHHS, stated the BHCQC is the licensing entity for medical and other related facilities and gave an overview of the long-term care options for patients with Alzheimer's disease. (Please see [Exhibit C](#), [Exhibit C-1](#), and [Exhibit C-2](#).) The options are personal care agencies that provide respite or in-home caregivers at the residence of the individual or family, and residential care facilities for groups that provide care and

services in a facility setting. Ms. Simons noted that there are currently no skilled nursing homes in Nevada for the more difficult clients and, on the Medicaid-supported side, 16 of those individuals are currently placed outside of the State of Nevada.

Continuing, Ms. Simons discussed the capacity of the facilities and the range of rates charged by the facilities with an Alzheimer's endorsement.

In response to Chair Mastroluca's request that she elaborate on her interest in collecting data on individuals with Alzheimer's disease who are being cared for at home, Ms. Simons said the data would be useful information. She stated that the personal care agencies licensed in the Bureau's database could be surveyed regarding the number of caregivers currently working with families with Alzheimer's disease.

- Angie Pratt, Regional Director, Alzheimer's Association of Northern California and Northern Nevada, discussed the difference between dementia and Alzheimer's disease, the factors that increase the risk of Alzheimer's, and Alzheimer's disease epidemiology. (Please see [Exhibit D](#) and [Exhibit D-1](#).)
- Ruth Gay, Director, Public Policy and Advocacy, Alzheimer's Association of Northern California and Northern Nevada, stated that Alzheimer's disease is the only significant disease in the top 10 causes of death that has no early detection or significant treatment, and it is an epidemic. She further discussed the difficulty in diagnosing dementia, and noted that it is more than a disease of the aged. (Please see [Exhibit D](#).)
- Christine Terry, Program Manager, Desert Southwest Chapter, Alzheimer's Association, presented information on: current treatments for Alzheimer's disease; the challenges of caring for a person with Alzheimer's disease; the cost to a family caring for an individual with Alzheimer's disease; who is providing long-term care for people with Alzheimer's disease; and the economics of the care for Alzheimer's patients. (Please see [Exhibit D](#).)
- Ms. Gay discussed the response to Alzheimer's disease compared to the response to other major diseases and the need to invest in research. (Please see [Exhibit D](#).)
- Ms. Pratt presented information on how Nevada will be affected by the increase in Alzheimer's disease and the challenges for Nevada families living with Alzheimer's disease. (Please see [Exhibit D](#).)
- Ms. Gay discussed the path to a State plan to address Alzheimer's disease, as directed in A.C.R. 10.
- Ms. Terry presented information on the opportunities in the National Alzheimer's Project Act (Public Law 111-375), the investment in Alzheimer's disease announced by the federal government, and programs and services. (Please see [Exhibit D](#).)
- Chair Mastroluca welcomed the students from Roseman University of Health Sciences and Assistant Professor, College of Nursing, Susan Watson, who were present to observe how legislation impacts health care.

- Chair Mastroluca noted that copies of A.C.R. 10 ([Exhibit E](#)) have been distributed to the Committee, and acknowledged receipt of information regarding the creation of a task force to develop a State plan to address Alzheimer’s disease, as directed in A.C.R. 10. (Please see [Exhibit E-1](#) and [Exhibit E-2](#).)

Discussion ensued among Senator Breeden, Ms. Pratt, and Senator Hardy regarding severe head trauma as one of the causes of Alzheimer’s disease, and how to get a proper diagnosis.

There was general discussion among Senator Hardy, Chair Mastroluca, Ms. Pratt, and Ms. Gay regarding funding the cost of the task force.

Responding to Chair Mastroluca’s suggestion that the Alzheimer’s Association provide recommendations for persons to fill the proposed positions in the draft “State Plan Task Force Membership” list ([Exhibit E-2](#)), Marsheilah D. Lyons, Principal Research Analyst, Research Division, LCB, stated that the LCB could provide staffing to assist the task force; however, the LCB could not absorb the cost of the task force, as proposed. She noted that the LCB recommends that the task force be comprised of five to no more than seven people and that there be approximately four or five meetings.

- Ms. Pratt noted that some states have created a state plan without funding, and Chair Mastroluca requested that examples of other states’ plans be provided to the Committee.
- Ms. Lyons stated that the task force meetings would be public meetings and members of the public will have the opportunity to provide information and input, even if they are not on the task force. She further noted that the University of Nevada, Reno, and the University of Nevada, Las Vegas, are supportive of playing a role in developing and writing the State plan.
- Ms. Gay summarized that the proposed membership of the State Plan Task Force should be scaled down from the proposal, that the Alzheimer’s Association will work with the Committee to ensure that the right players are at the table and there is staff support and meeting space, and that they will work with the Universities. Chair Mastroluca agreed and said the Committee would consider the recommendations of the Alzheimer’s’ Association and assign the members to the task force. She further suggested that they consult with Senator Hardy who has suggestions for adjusting the proposed membership of the task force.
- Assemblywoman Carlton stated that it would be helpful to have numbers specific to Nevada regarding Alzheimer’s disease and requested that there be more information about the workforce that would be needed in this State in the future to provide services to people with Alzheimer’s’ disease.
- Chair Mastroluca called for public comment on the presentation concerning the diagnosis, prevention, and long-term care of patients with Alzheimer’s disease (Agenda Item IV); however, no testimony was provided.

**PRESENTATION CONCERNING EFFORTS TO STANDARDIZE LANGUAGE IN CHAPTER 450B “EMERGENCY MEDICAL SERVICES” OF NRS TO CONFORM WITH THE NATIONAL EMERGENCY MEDICAL SERVICES EDUCATION STANDARDS RELEASED BY THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION IN 2009 (PROPOSED IN ASSEMBLY BILL 51 OF THE 2011 LEGISLATIVE SESSION)**

- Marla McDade Williams, B.A., M.P.A., Deputy Administrator, Health Division, DHHS, referred to Assembly Bill 51 proposed in the 2011 Legislative Session but not passed ([Exhibit F](#)), which was responding to a reassessment of emergency medical services (EMS) in the State of Nevada that was conducted in February of 2009. (Please see [Exhibit G](#).) She stated the reassessment was a follow-up to a 1991 assessment, and the reassessment noted that progress has been made on the placement of the Office of Emergency Medical Systems (OEMS) within the Division of Health, the relationship between the OEMS and the largest counties has improved, and there is a statewide EMS patient care reporting system. However, the following five areas were identified as still needing attention:
  1. Volunteerism appears to be on the decline;
  2. The OEMS has not been given the staffing or financial resources identified as necessary in 1991 to achieve important objectives;
  3. The relationships between tertiary resource centers and community hospitals remain informal;
  4. The State lacks an EMS plan to guide next steps in developing systems that can best meet the needs of people with time-sensitive injuries and illnesses; and
  5. The question of who bears responsibility for blending the component parts into a cohesive whole is not fully defined.
- Ms. McDade Williams reviewed the highlights of the assessment and the status and recommendations related to the following eleven standards that the State was assessed on: (1) regulation and policy; (2) resource management; (3) human resources and training; (4) transportation; (5) facilities; (6) communications; (7) public information and education; (8) medical direction; (9) trauma systems; (10) evaluation; and (11) preparedness.

Continuing, Ms. McDade Williams stated that, after receiving the assessment, DHHS staff prepared a bill for consideration by the 2011 Legislature that would change the nomenclature and titles of emergency medical service providers to be consistent with national standards and allow for continued reciprocity with other states. She noted that there were concerns about A.B. 51 when it was heard before the Assembly Committee on Health and Human Services during the 2011 Legislative Session, and she asked if the Committee would like the DHHS to work with LCB staff to prepare a proposal that would be acceptable.

- Chair Mastroluca noted that the proposed bill affects many people and she recommended that everyone who would be affected by it have the ability to provide input.
- Patrick Irwin, Program Manager, Emergency Medical Services, Health Division, DHHS, introduced Rory Chetelat, Manager, Emergency Medical Services, Southern Nevada Health District. Mr. Irwin described the changes proposed in A.B. 51. He stated that the Division has been working with the Southern Nevada Health District, unions, the Regional Emergency Medical Services Authority, the State Board of Nursing, and the Board of Medical Examiners, and everyone who wants to be will be included in the discussions regarding the proposed legislation.
- Chair Mastroluca stated that this is important legislation that needs to move forward and expressed her willingness to help.

In response to Senator Hardy, Mr. Irwin confirmed that the certification of individuals would not change, only their titles would change, and the fees would remain the same.

Discussion ensued between Senator Hardy and Mr. Irwin regarding the role of medical students in the proposed changes.

- Chair Mastroluca suggested that it would be helpful to have a document that compares what is currently in statute and in regulation to the proposed changes.

Discussion ensued among Chair Mastroluca, Mr. Irwin, and Assemblywoman Carlton regarding the issue of how volunteers would be identified under the proposal.

In response to Ms. McDade Williams' question if the legislation would be considered in the Committee's work session, Chair Mastroluca stated that her intention would be that if a recommendation for legislation is brought forward that the Committee understands and supports, it would be considered for the work session.

- Chair Mastroluca called for public comment on the presentation concerning efforts to standardize language in Chapter 450B, "Emergency Medical Services" of NRS (Agenda Item V); however, no testimony was provided.

## **CONSIDERATION OF REGULATIONS PROPOSED OR ADOPTED BY CERTAIN LICENSING BOARDS PURSUANT TO NRS 439B.225**

*LCB File No. R004-12, Chiropractic Physicians' Board of Nevada*

- Risa B. Lang, Chief Deputy Legislative Counsel, Legal Division, LCB, provided a summary of LCB File No. R004-12, Chiropractic Physician's Board of Nevada. (Please see [Exhibit H](#).)
- Louis Ling, General Counsel, Chiropractic Physicians' Board of Nevada, described the intentions of the proposed regulation.

- Chair Mastroluca called for public comment on LCB File No. R004-12 (Agenda Item VI); however, no testimony was provided.

**APPROVAL OF MINUTES OF THE MEETING HELD ON TUESDAY, JANUARY 17, 2012, IN LAS VEGAS, NEVADA**

**(As directed by Chair Mastroluca, this agenda item was taken out of order.)**

- The Committee **APPROVED THE FOLLOWING ACTION:**

SENATOR HARDY MADE A MOTION TO APPROVE THE MINUTES OF THE JANUARY 17, 2012, MEETING HELD IN LAS VEGAS. THE MOTION WAS SECONDED BY SENATOR BREEDEN AND PASSED UNANIMOUSLY.

**PUBLIC COMMENT**

- Susan Watson, previously identified, thanked the Committee members for allowing the Roseman University research nursing students to attend the meeting.

**ADJOURNMENT**

There being no further business to come before the Committee, the meeting was adjourned at 11:30 a.m.

Respectfully submitted,

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Anne Vorderbruggen  
Senior Research Secretary

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Marsheilah D. Lyons  
Principal Research Analyst

APPROVED BY:

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Assemblywoman April Mastroluca, Chair

Date: \_\_\_\_\_

## LIST OF EXHIBITS

[Exhibit A](#) is the “Meeting Notice and Agenda,” provided by Marsheilah D. Lyons, Principal Research Analyst, Research Division, Legislative Counsel Bureau (LCB).

[Exhibit B](#) is a document titled “Legislative Committee on Health Care, Presentation Concerning the Diagnosis, Prevention, and Long-Term Care of Patients with Alzheimer’s Disease,” dated February 14, 2012, provided by Carol Sala, Administrator, Aging and Disability Services Division, Department of Health and Human Services (DHHS).

[Exhibit C](#) is the written testimony of Wendy Simons, Chief, Bureau of Health Care Quality and Compliance (BHCQC), Health Division, DHHS, dated February 14, 2012.

[Exhibit C-1](#) is a Fact Sheet titled “Overview of the State’s Licensing and Certification Programs,” submitted by Wendy Simons, Chief, BHCQC, Health Division, DHHS.

[Exhibit C-2](#) is document titled “Memory Care Regulations,” provided by Wendy Simons, Chief, BHCQC, Health Division, DHHS.

[Exhibit D](#) is a Microsoft PowerPoint presentation handout titled “Alzheimer’s Disease in Nevada, Presentation to the Legislative Committee on Health Care,” submitted by the Alzheimer’s Association, Northern California and Northern Nevada, and Desert Southwest Chapters.

[Exhibit D-1](#) is a document titled “Alzheimer’s Statistics,” submitted by the Alzheimer’s Association, Northern California and Northern Nevada, and Desert Southwest Chapters.

[Exhibit E](#) is a copy of Assembly Concurrent Resolution No. 10 (File No. 42, *Statutes of Nevada 2011*) provided by Marsheilah D. Lyons, Principal Research Analyst, Research Division, LCB.

[Exhibit E-1](#) is a document titled “Draft, Nevada Alzheimer’s Task Force Overview,” dated September 2011, submitted by the Alzheimer’s Association.

[Exhibit E-2](#) is a document titled “Draft, State Plan Task Force Membership,” provided by the Alzheimer’s Association.

[Exhibit F](#) is Assembly Bill 51, prefiled in the 2011 Legislative Session but not passed, provided by Marsheilah D. Lyons, Principal Research Analyst, Research Division, LCB.

[Exhibit G](#) is a document titled “State of Nevada, A Reassessment of Emergency Medical Services, February 24-27, 2009,” provided by Marla McDade Williams, B.A., M.P.A., Deputy Administrator, Health Division, DHHS.

[Exhibit H](#) is documents titled “Digest for Proposed Regulation, LCB File No. R\_004-12 (Chiropractic Physicians’ Board of Nevada),” and “Proposed Regulation of the Chiropractic Physicians’ Board of Nevada, LCB File No. R004-12,” dated February 8, 2012, provided by Risa B. Lang, Chief Deputy Legislative Counsel, Legal Division, LCB.

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](http://www.leg.state.nv.us/lcb/research/library/feedbackmail.cfm) or telephone: 775/684-6827.