



NEVADA LEGISLATURE
SUNSET SUBCOMMITTEE OF THE
LEGISLATIVE COMMISSION
(Nevada Revised Statutes [NRS] 232B.210)

SUMMARY MINUTES AND ACTION REPORT

The fourth meeting of the Nevada Legislature's Sunset Subcommittee of the Legislative Commission was held on Tuesday, April 8, 2014, at 8:30 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/77th2013/committee/>. In addition, copies of the audio or video record are available through the Legislative Counsel Bureau's Publications Office (e-mail: publications@lcb.state.nv.us; telephone: 775/684-6835).

COMMITTEE MEMBERS PRESENT IN LAS VEGAS:

Assemblywoman Irene Bustamante Adams, Chair
Senator Patricia (Pat) Spearman, Vice Chair
Senator David R. Parks
Assemblywoman Michele Fiore
David Goldwater

COMMITTEE MEMBERS PRESENT IN CARSON CITY:

Senator James A. Settelmeyer
Assemblyman Richard (Skip) Daly
Teresa (Terry) Rankin

COMMITTEE MEMBER ABSENT:

William (Buzz) Harris

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:

Carol M. Stonefield, Managing Principal Policy Analyst, Research Division
James W. Penrose, Senior Principal Deputy Legislative Counsel, Legal Division
Natalie J. Pieretti, Senior Research Secretary, Research Division

OPENING REMARKS

- Chair Bustamante Adams welcomed everyone to the fourth meeting of the Sunset Subcommittee of the Legislative Commission and asked the secretary to take the roll.

PUBLIC COMMENT

- Chair Bustamante Adams called for public comment; however, none was presented.

APPROVAL OF MINUTES OF THE MEETING HELD ON FEBRUARY 3, 2014, IN LAS VEGAS, NEVADA

- Chair Bustamante Adams deferred this agenda item until the May 6, 2014, meeting.

PUBLIC HEARING CONCERNING TERMINATION, MODIFICATION, CONSOLIDATION, OR CONTINUED OPERATION OF CERTAIN ENTITIES, PURSUANT TO NRS 232B.240

Nevada Commission on Homeland Security (NRS 239C.120)

- Christopher Smith, Chief, Nevada Division of Emergency Management (NDEM), Homeland Security, provided a brief overview of the objectives and functions of the Nevada Commission on Homeland Security (NCHS) including: (1) the Homeland Security Grant Program; (2) citizen corps initiatives; (3) operational coordination and communications; (3) cyber security; (4) intelligence and information sharing; (5) public health/epidemiological surveillance; (6) mass care, evacuation, fatality, and sheltering; (7) critical infrastructure credentialing interoperability; (8) school preparedness; (9) first responder equipment; and (10) continued enhancement of the Nevada Critical Infrastructure Protection Plan and the State Homeland Security Plan. He reported the expectation of the NCHS is zero failure in protecting the citizens of and visitors to the State of Nevada. (See [Exhibit B](#) and [Exhibit B-1](#).)
- In response to Assemblyman Daly's question regarding interaction between the NCHS and the federal government, Mr. Smith replied the NCHS was exceptionally engaged with the Congressional Delegation to work with the Federal Emergency Management Agency (FEMA) and the Department of Homeland Security to include Clark County on the urban area list. He noted that 14 cities across the nation have been added to the urban list for a total of 39 cities in 2014. Mr. Smith stated the Clark County urban area will receive \$1 million in grant funds for 2014.
- Assemblyman Daly inquired how the internal structure of the NCHS was operating. Mr. Smith conveyed the NCHS functions exceptionally well with rich discussions and dialogue, with no concerns filling vacant positions.

- Senator Spearman asked how the coordination was between the NCHS and the Nevada Committee on High-Level Radioactive Waste (CHLRW). Mr. Smith said the level of engagement with the CHLRW for no particular reason is limited, but that the NCHS has influence across the State with different boards and commissions when it comes to what priorities have been set and how other agencies are following those priorities to ensure that the Statewide needs of local jurisdictions are addressed.
- Responding to Chair Bustamante Adams' request for clarification of NCHS members, Mr. Smith provided information on the 24 members, noting 16 are voting members, and offered to provide a list of members sitting on other committees that report to the NCHS.
- Expressing concern over the NCHS's appropriation from the General Fund and the grant program, Chair Bustamante Adams asked if the NCHS envisions the downward trend continuing. Mr. Smith replied a substantial decline in grant funding has occurred over the last 5 years, and voiced concerns over the level of funding received. He stated the grant award for Fiscal Year 2014 is roughly \$4 million.
- Discussion ensued between Chair Bustamante Adams and Mr. Smith regarding the NCHS drought hazard and the State strategy. Mr. Smith said that drought as a hazard cannot be addressed with antiterrorism funding.

Committee for the Statewide Alert System (NRS 432.350)

- Stephanie Parker, Chair, Committee for the Statewide Alert System (CSAS) testified the CSAS, enacted in 2003, serves as a resource for law enforcement agencies and the media for the abduction of endangered children. She reported the CSAS has reviewed over 40 activations to ensure appropriate criteria is met, and that the CSAS provides technical assistance and training to local law enforcement agencies. (See [Exhibit C.](#))
- Assemblyman Daly observed the CSAS is a voluntary partnership with local law enforcement agencies and media participation and asked if there were any agencies that were not participating. Ms. Parker replied participation was excellent from all aspects with no issues filling empty membership positions.
- Responding to a question by Senator Settlemeyer, Ms. Parker confirmed that the Statewide Alert System for the Safe Return of Missing Endangered Older Persons (Silver Alert System) is separate from the CSAS.
- Senator Parks offered the Silver Alert System was enacted in Senate Bill 245 (Chapter 184, *Statutes of Nevada 2011*) and is administered by the Nevada Department of Public Safety (DPS) with the assistance of the Nevada Department of Transportation. He stated the Legislative Commission has approved the rules and regulations for the Silver Alert System, and suggested consideration be given in a future interim at interfacing the CSAS and Silver Alert System.

- In response to Chair Bustamante Adams' inquiry as to how CSAS minutes and correspondence are handled, Ms. Parker replied meeting locations are provided by DPS, and correspondence is received by the Office of the Attorney General and responded to by the Chair, Vice Chair, and Child Advocate of the CSAS.
- Ms. Parker disclosed discussions have taken place for reasonable reimbursements from donations or grants for carrying out statutory provisions for CSAS members not representing an agency. She confirmed the CSAS would be requesting a budget account.

Board of Examiners for Audiology and Speech Pathology (NRS 637B.100)

- Paula Berkley, representing the Board of Examiners for Audiology and Speech Pathology (ASP) provided a brief overview of the ASP. Ms. Berkley acknowledged in discussing a potential bill draft request with the ASP, that audiologists are required to obtain two licenses in the State of Nevada, one for audiology and one for dispensing hearing aids, a costly and time-consuming process. She reported other states' requirements were reviewed, and 35 of those states recognized that audiologists were also trained in hearing aid dispensing. Ms. Berkley testified another 13 states merged their hearing aid specialist board with the audiology board. She spoke in support of merging the ASP with the Board of Hearing Aid Specialists (BHAS) highlighting that a merger would: (1) be less expensive for both boards; (2) streamline procedures; (3) expand the administrative support; and (4) achieve an improved and transparent relationship with the public. (See [Exhibit D.](#))

Ms. Berkley discussed three potential options presented to both the ASP and BHAS for merger: (1) keep each board separate; (2) allow the expansion of the scope of practice to dispensing so it may be done independently of the BHAS; and (3) merge the ASP and BHAS.

- Loretta L. Ponton, Executive Director, ASP, addressed the topic of dual licensure for audiologists, noting a doctorate is required. She testified hearing aid specialists are an integral need with a differing education level and training who serve a different population. She stated the ASP merger proposal would change the administrative structure of each board, not the roles of the audiologists or hearing aid specialists. Ms. Ponton directed the Subcommittee's attention to the fact that the BHAS has, as of January 1, 2014, a total of 125 licensees, 66 of which are dual licensed audiologists, with the remaining 59 consisting of hearing aid specialists who fit and dispense hearing aids. In comparison, Ms. Ponton remarked the ASP has 99 audiologists, 33 of which do not hold dual licensure. She noted based on the statistics, the ASP felt it prudent to discuss the options of merger with the BHAS, who ultimately decided in February 2013 against a merger.

Ms. Ponton highlighted the advantages of a merger, including: (1) eliminating the need for two licenses for audiologists, as well as reporting to two separate boards with different continuing education requirements; (2) renewal periods; (3) lower licensing fees; (4) streamlining the audiologist application process; (5) offering frequent examinations; (6) increasing resources; (7) eliminating the need for an audiologist to hold an apprentice license, which is costly and time consuming; and (8) increasing operational efficiencies and customer benefits. She advised ASP intends to seek legislation during the 2015 Legislative Session that would authorize audiologists to dispense hearing aids with an examination.

Continuing her testimony, Ms. Ponton directed her comments toward those opposed to the merger. She reported two board meetings were held, including one with the BHAS, where there was extensive public comment from hearing aid specialists fearful of losing their profession, adequate representation on the board, and an increase in disciplinary actions. Ms. Ponton disputed the objections of the hearing aid specialists' claims of potential higher fees. She testified another objection to the proposed merger was less consumer orientation, and indicated the ASP would be supportive of a public board member. In comparing current ASP and BHAS memberships, Ms. Ponton observed the memberships are almost identical, and proposed a seven-member board for any merger would include one audiologist, one hearing aid specialist, two speech pathologists, a physician, and two public members.

- In response to questioning by Senator Spearman, Ms. Ponton said it would be disparate to have two hearing aid specialists on the seven member merged board. She proposed a subcommittee of the merged board similar to what the BHAS is currently doing to address issues directly related to the dispensing of hearing aids. Ms. Ponton acknowledged the ASP was open to compromise for the benefit of the State. Discussion continued between Senator Spearman and Ms. Ponton.
- Senator Parks suggested the Subcommittee look at the viability of both boards when determining a recommendation. He asked Ms. Ponton to provide detailed information on the 35 states where dual licensure is present.
- Ms. Ponton admitted she does not have specifics for the 35 states. She noted that some of the 35 states that have permits for hearing aid dispensing with an audiology license are states that merged the two boards.
- Paula Berkley, previously identified, added the composition of the merged boards can be provided to the Subcommittee. She acknowledged financial viability is a concern for the State, and represented the ASP is flush with funds, but the BHAS is not.
- Richard Johnson, AuD, CCC-A, reported while Nevada does require two licenses, other states such as Colorado and Utah do not require a separate license for audiology and hearing aid dispensing. He testified it takes nine months to a year to receive the hearing aid dispensing license.

- Upon the request of Assemblyman Daly, Mr. Johnson clarified an individual is able to be fitted without a medical examination.
- Teresa Rankin, previously identified, commented on the provisions of NRS 637A.210, which specifically list the fees for the BHAS.
- Chair Bustamante Adams discussed budget projections and analysis with Ms. Ponton who conveyed a new licensee currently pays \$150 to the ASP; however, a proposed increase to \$250 will be presented in the 2015 Legislative Session. Ms. Ponton clarified that a speech pathologist is not required to take an examination, but for the dispensing audiologist with an examination, the fee would be \$250 plus the \$450 examination fee. She testified the dispensing audiologist currently pays \$550 to the BHAS for dispensing privileges and \$150 to the ASP for an audiologist license. Discussion continued between Chair Bustamante Adams and Ms. Ponton.
- Chair Bustamante Adams voiced concern with the information obtained from the western states and asked for information about the neighboring states' licensing fees and if an audiologist has to obtain two licenses. Dr. Johnson replied he is dually certified in California, but only one fee is required. Ms. Berkley offered to provide the information to the Subcommittee.
- Dr. Johnson added, when the California boards merged, his audiology fees decreased.
- Chair Bustamante Adams inquired if there was an increase in licenses, and Dr. Johnson replied there was not, and opined that there will always be a need for hearing aid dispensers.

Board of Hearing Aid Specialists (NRS 637A.030)

- Melissa Maestas, Chair, BHAS, outlined the provisions of the BHAS, noting hearing aid specialists are trained specifically in the specialty of assessing hearing loss, counseling consumers regarding hearing instruments, and fitting and adjusting hearing aids. She testified an applicant for a hearing aid specialist must meet the educational requirements, pass a written examination, a practical examination, and an ethics examination. Ms. Maestas stated Nevada has some of the most stringent educational requirements for hearing aid specialists, pointing out that applicants must meet one of four requirements: (1) an associate's degree in hearing aid technology, audioprosthology, or other curriculum approved by the BHAS; (2) a bachelor's degree in any field, coupled with the completion of the independent study course developed by the International Institute for Hearing Instrument Studies; (3) a master's degree in clinical audiology; or (4) a doctorate in audiology. She explained the three-part licensing examination is to ensure the applicants have acquired all required knowledge to successfully practice as a hearing aid specialist. (See [Exhibit E](#) and [Exhibit E-1](#).)

Ms. Maestas testified the practical examination administered by the BHAS tests the applicant's skills in a variety of areas, including: (1) recognizing medical issues that require the referral to an ear, nose, and throat specialist; (2) testing the hearing and interpreting audiograms; (3) taking ear mold impressions; and (4) fitting and identifying problems with actual hearing aids.

Continuing, Ms. Maestas reported the BHAS issued 13 licenses in 2013. She remarked a license renewal requires 12 hours yearly of continuing education. Next, Ms. Maestas testified the BHAS administers an apprentice license, which allows individuals to receive intensive on-the-job training in the practice of hearing aid dispensing, as well as receiving 300 hours of direct instruction and oversight. She remarked audiologists are not required to have an apprentice license.

Concluding, she said hearing aids represent a significant financial investment for consumers and it is important to ensure that the highest professional standards are maintained within the practice with consistency a crucial factor.

- Responding to Senator Spearman's question regarding the differences to consider if the boards were to be merged, Ms. Maestas replied one of the ASP's proposals was for continual testing of audiologists for hearing aid dispensing. She voiced concern over ASP's testing criteria for qualification of hearing aid dispensing. Ms. Maestas related instances where two audiologists failed the hearing aid dispensing examination. Discussion ensued between Senator Spearman and Ms. Maestas.
- Senator Parks asked Ms. Maestas to share what the hearing aid specialists have experienced in the State of California with board mergers. Ms. Maestas acknowledged she found starting in 2011, the year of the merger, an increase of the examination fee from \$100 to \$225 for the written examination, and \$285 to \$500 for the practical examination. She reported the State of Arizona's application fee is \$250 and the licensing fee is \$200. Ms. Maestas related the concerns of hearing aid dispensers over the lack of representation and being phased out.
- In response to Senator Parks' comments and question about regulations for advertising and holding public seminars for the sale of hearing aids, Ms. Maestas said far less unethical practices have occurred since the BHAS has become more proactive, and that the BHAS welcomes all complaints. She added in 2008, the BHAS received 40 complaints, 35 of which were addressed toward one individual, with the remaining 5 toward another individual who has been reprimanded and suspended.
- Senator Parks inquired if any medical providers exist who are not licensed by the BHAS, and Ms. Maestas responded there were none.
- Discussion ensued between Senator Spearman and Ms. Maestas to clarify that statutes for each board would remain independent in the event of a merger, and, therefore, oversight would continue.

- Concluding, Ms. Maestas stated the BHAS received 4 complaints in 2013 and opposed any change in testing should the ASP and BHAS be merged.
- Responding to Chair Bustamante Adams' question concerning the Executor Director's position, Ms. Maestas confirmed the position is part-time and offered to provide additional information to the Subcommittee.

Medical Care Advisory Group (NRS 422.151)

- Laurie Squartsoff, Administrator, Division of Health Care Financing and Policy (HCFP), Nevada Medicaid, Department of Health and Human Services (DHHS), testified the Medical Care Advisory Group (MCAG) is comprised of representatives from the community, including members from the provider network, the tribal community, and beneficiary representatives. She described the 9 members who sit on the MCAG, and explained the MCAG advises the HCFP regarding health services for Medicaid beneficiaries, as well as participating with and increasing the development of policies and programs within the HCFP. Ms. Squartsoff commented the MCAG is a very active and well-attended committee, generally meeting quarterly. (See [Exhibit F.](#))
- Rota Rosaschi, Chair, MCAG, shared she is a retired State employee, having served 30 years, and that she is licensed social worker.
- Teresa Rankin, previously identified, asked if the MCAG assists in establishing the standards for Medicaid benefits. Ms. Squartsoff affirmatively acknowledged the MCAG serves as a sounding board when staff is developing policy to get input from practitioners and providers. Ms. Rosaschi added it is also the forum where a recipient has the opportunity to speak before the MCAG as well.
- Darrell W. Faircloth, Senior Deputy Attorney General, Office of the Attorney General, stated that the Medicaid services manual is the body of regulations that are exempted from the Administrative Procedure Act (APA) of 1946, and that there is a procedure specific to the adoption of Medicaid regulations independent from the MCAG, with hearings on the adoptions of the regulations, so there is an opportunity for public comment.
- Chair Bustamante Adams asked how often the opportunity for public comment occurs. Ms. Squartsoff responded the opportunity occurs regularly.
- Ms. Rosaschi added concerns of vendors who provide services to recipients have been agendized.
- Responding to Senator Spearman's inquiry concerning any anticipated changes or challenges as a result of the expanded Medicaid, Ms. Squartsoff replied, as of March 31, 2014, there has been an increase of Medicaid beneficiaries in the

State of Nevada. She went on to describe the process for applying for and receiving Medicaid services.

- Discussion ensued between Chair Bustamante Adams and Ms. Squartsoff regarding the membership and expiration of terms of the MCAG.
- In response to Chair Bustamante Adams, Ms. Squartsoff replied there is no operating budget, but there is staff that works with the MCAG.
- Chair Bustamante Adams asked Ms. Squartsoff to elaborate on the number of people now within the Medicaid system. Ms. Squartsoff reported that at the end of March 2014, a little over 434,000 Nevadans were covered by Medicaid, roughly an increase of 118,000 since 2013. Ms. Squartsoff testified within the last 18 months, the goal of the MCAG has been to ensure it fulfills its function to provide advice to the HCFP. She said the HCFP has a strategic plan to ensure that there is access to services for Medicaid beneficiaries and that those services are delivered in a quality manner.
- Assemblyman Daly commented his understanding of the MCAG's goal is to anticipate the issues as they change. Ms. Squartsoff agreed and stated the roll of the MCAG is to be more proactive in its approach with the HCFP.
- Lastly, Ms. Squartsoff recommended changing the name of the MCAG from "Group" to "Committee."

Board of Examiners for Long-Term Care Administrators (NRS 654.050)

- Margaret A. McConnell, Chair, Board of Examiners for Long-Term Care Administrators (BELTCA) reported BELTCA serves as the licensing and regulatory agency for long-term care administrators in Nevada, including all nursing home administrators, group care, residential care, and assisted living administrators. Ms. McConnell testified BELTCA's charge is to protect the public and consumers by ensuring that the long-term care administrators are of good moral character, are properly educated, and trained to care for citizens in a dignified and caring manner. She stated all seven members of BELTCA are appointed by the Governor, which includes: (1) two licensed nursing facility administrators; (2) one residential care administrator who represents facilities that serve seven clients or less; (3) one residential care administrator who represents facilities that serve seven clients or more; (4) one who is a member of a medical or paramedical profession; (5) one who is a member of the general public; and (6) one member who is typically the director of the Aging and Disability Services Division (ADSD), DHHS. (See [Exhibit G](#).)

Ms. McConnell provided a brief overview of the following BELTCA activities which include: (1) developing, imposing, and enforcing standards to be met by anyone who is licensed; (2) developing and applying the licensing examination; (3) conducting investigations and disciplinary action as recommended; (4) continuing education for

administrators with a goal toward supporting and educating, as well as empowering administrators; and (5) training.

- Senator Settelmeyer addressed a question to Ms. McConnell pertaining to whether BELTCA handles licenses of individuals in residential areas. She responded that in the 1990s, the Nevada Bureau of Health Care Quality and Compliance (NBHCQC), Nevada Division of Public and Behavioral Health, DHHS, along with Nevada Elder Protective Services, ADSD, DHHS, identified the continuing challenge in the area of residential group care operators who offered substandard care. Ms. McConnell continued that at that time, the NBHCQC would take action and close the facility only to have the same operator open another facility in the city within a year. Ms. McConnell remarked this action resulted in 1993 legislation holding the actual owner/administrator accountable so that he or she is prohibited from opening another facility.
- David Goldwater, previously identified, asked if BELTCA has jurisdiction over administrators or guardians in a guardianship situation. Ms. McConnell replied BELTCA does not have jurisdiction over administrators or guardians in a guardianship situation, and does not know which particular board has jurisdiction over such matters.
- Senator Spearman directed her questions toward the example provided of substandard care by the administrator and asked if: (1) background checks are performed; and (2) if other states are notified of a licensure revocation. Ms. McConnell replied BELTCA reports infractions of any kind to a national databank-reporting agency, as well as accessing the databank for background checks of any administrator applying for a license in the State. She conveyed that the State of Nevada was a pioneer in performing background checks, one with the State and one with the Federal Bureau of Investigation (FBI), prior to the initial licensing of any health care administrator, as well as every four years upon renewal of the license.
- In response to Chair Bustamante Adams' question whether the background check requires fingerprinting, Ms. McConnell replied fingerprinting is a requirement.
- Sandy Lampert, Executive Director, BELTCA, added electronic fingerprinting, as well as fingerprinting cards, are accepted, with the process taking anywhere between seven days to three weeks. Ms. McConnell said licenses are not issued until the FBI check is completed and returned to BELTCA.
- Responding to Chair Bustamante Adams' question, Ms. Lampert replied costs for receiving electronic fingerprinting reports have been significantly less.
- Chair Bustamante Adams asked how many entities BELTCA serves. Ms. McConnell answered BELTCA licenses two entities in the State: 120 nursing facilities administrators, and 350 residential care assisted living administrators. Ms. Lampert

noted all licensing is performed through the Las Vegas office, and renewal notices are sent by electronic mail two months prior to renewal.

- Discussion ensued between Chair Bustamante Adams and Ms. Lampert on the topic of decreased profit and loss numbers. Ms. Lampert noted that the numbers can be attributed to disciplinary actions being handled differently with higher fees, longer hearings, and extraordinary costs for the licensees for attorney's fees. Ms. McConnell stated the BELTCA is very involved with and committed to developing the pool of resources, which is steadily dwindling. She testified that Nevada was the first state to license residential care assisted living administrators, as well as offering the national examination and requiring continued education. Ms. McConnell added that BELTCA is in the process of writing one examination and job description that covers all administrators without any extra cost to the consumer. She reported the practice analysis that BELTCA has been preparing will be addressed at the national meeting in June 2014. Ms. McConnell pointed out the examination is being crafted by New York based company Pro-Exam to contain all of the different components available and will eventually be published within the next year at the very latest. She offered to provide the Subcommittee with a copy of the practice analysis.
- In response to Chair Bustamante Adams, Ms. McConnell said BELTCA does not request the Subcommittee to consider any statutory changes at this time to recognize the national credential.
- Senator Spearman inquired if the change in standards would require an increase in training and experience. Ms. Lambert replied it would, and Ms. McConnell added BELTCA and the national board are committed to making it user friendly to allow applicants to move from one state to another. She stressed that Nevada has a minimum statutory requirement of 1,000 hours of experience for a nursing facility administrator, as well as a baccalaureate degree.

Nevada Transportation Authority (NRS 706.1511)

- David Goldwater, previously identified, disclosed he represents clients that go before the National Transportation Authority (NTA) board and will not be participating in discussion with NTA.
- Andrew J. MacKay, Chair, NTA, testified the NTA has regulatory authority with respect to the administrative enforcement of State laws that pertain to motor carriers, specifically intrastate transportation of passengers, household goods movers, and the tow-car industry. He conveyed the NTA's strategic plan and Mission Statement can be delineated and found in NRS 706.151. Mr. MacKay said the NTA is comprised of 18 fulltime staff members in Las Vegas, 6 fulltime in Reno, and 3 commissioners. (See [Exhibit H](#), [Exhibit H-1](#), and [Exhibit H-2](#).)

Mr. MacKay stated in order to regulate the motor carrier industry, public convenience and necessity certificates and contract carrier permits are issued by the NTA. He remarked there are currently 390 active certificates that are held by 331 distinct and separate legal entities, with a total of 4,050 vehicles that are on State roadways on a permanent basis. However, Mr. MacKay reported that that statistic does not include vehicles that are in service on a temporary basis by carriers in order to respond to extraordinary demands.

He outlined the two distinct categories of the NTA as being: (1) regulation of fully regulated carriers; and (2) regulation of partially regulated carriers. Mr. MacKay provided examples of fully regulated carriers as charter limousine operators, scenic tour operators, household goods movers, providers for airport transfer service, and contract carrier authority. He further commented the NTA oversees the regulation of taxicabs outside of Clark County. With respect to partially regulated carriers, Mr. MacKay said those are operators which the federal government has partially deregulated.

Mr. MacKay next addressed the three operational areas of the NTA: (1) applications; (2) enforcement; and (3) compliance with existing regulations. He testified individuals or entities that are seeking to apply to obtain the disparate types of operating authority within the NTA are subject to comprehensive inspection, including a criminal background investigation, State scope background, as well as an FBI background investigation. Relating to enforcement, Mr. MacKay testified the compliance officer's primary responsibility includes, but is not limited to, patrol and law enforcement activities, conducting risk-based operational inspections, and investigating complaints. He expressed pride in the work of his enforcement staff. Lastly, with respect to compliance with existing regulations, Mr. MacKay directed the focus to several factors, including ensuring carriers maintain the requisite levels of insurance, as well as comprehensive vehicle inspections.

Concluding, Mr. MacKay reported on the NTA budget accounts: (1) the Transportation Services Authority; and (2) the Administrative Fines, noting the administration account is 90 percent highway funds and 10 percent fee allocations.

- Senator Settlemeyer asked Mr. MacKay to explain the difference between who governs taxicabs in Clark County versus other counties, and if there is any way to look at that duplication to simplify regulations. Mr. MacKay remarked it is a bifurcated regulatory system with the Nevada Taxicab Authority (TA), Department of Business and Industry, regulating taxicabs in Clark County and the NTA, which regulates taxicabs everywhere other than Clark County. Mr. MacKay commented the agencies' regulations are quite different in multiple ways, observing the sheer size of the TA and their regulatory oversight versus the NTA. He further conveyed the TA is one hundred percent self-funded, while the NTA pays an annual fee of \$75 per vehicle. Continuing, Mr. MacKay stated outside of Clark County, certificate holders are permitted to employ either taxicab drivers or independent contractors as employees. Concluding,

he declared while the operations are dramatically different, both the NTA and TA strive to protect the safety of the traveling and shipping public.

- Chair Bustamante Adams directed Mr. MacKay's attention to the submitted Review Form and asked him to comment on the 186 motor coaches that came from out-of-state carriers to supplement Nevada's fleet for the 2013 Electric Daisy Carnival. Mr. MacKay pointed out that during the 3-day event, there were 250,000 passenger transfers facilitated by one of the NTA's certificated carriers. He went on to say that due to the lack of availability of motor coaches within the State that can be leased from other carriers, AWG Charter Services, the exclusive transportation provider, leases vehicles on a temporary basis from out-of-state carriers and are subject to the provisions of State law prior to being put into service. Mr. MacKay said the NTA has no authority to assess any vehicle or licensee fees for charter bus operators.
- At the behest of Chair Bustamante Adams, Mr. MacKay provided a brief overview of the status of the 2013 audit recommendations, represented that the NTA has accepted all seven of the findings by the auditors, and declared a six-month action plan was recently submitted, accepted, and implemented.

State Predatory Animal and Rodent Committee (NRS 567.020)

- James Barbee, Director, State Department of Agriculture (DOA), testified the State Predatory Animal and Rodent Committee (SPARC), while being in existence for many years, has not met in the last 15 to 20 years. He stated an informational meeting was held recently with members who were appointed in 2012. Mr. Barbee related the duties of SPARC included: (1) entering into an agreement with the United States Department of Agriculture (USDA) relative to the Wildlife Services program on the federal level that protects livestock from predatory animals; (2) entering into cooperative agreements with the Nevada Department of Wildlife (NDOW) to protect wildlife by controlling predator animals; and (3) focusing on health issues relating to rodent control. (See [Exhibit I.](#))

Mr. Barbee noted in 2012, when it was brought to his attention that SPARC had not met for some time, he attempted to schedule a meeting but ran into difficulties when a board member's membership on another board was disputed. He stated the first meeting is scheduled for April 9, 2014. Mr. Barbee emphasized the benefits of SPARC is cross-communication with the State Board of Health, DHHS, the Board of Wildlife Commissioners, and State agriculture producers relative to predatory control issues through the Wildlife Services Program, as well as any rodent issues that may arise.

- Responding to Senator Settelmeyer's question if SPARC is the appropriate committee to review sage-grouse and raven issues, Mr. Barbee replied SPARC members will be discussing those topics at the next meeting, specifically looking at the cooperative agreements between the DOA and USDA Wildlife Services, which deals with livestock protection, and engages with the ravens and the 1,500 raven permit that exist.

He continued that SPARC will be reviewing the Memorandum of Understanding that exists between NDOW and Wildlife Services and the 3500 raven permit, which includes sage-grouse.

- Assemblyman Daly asked, if SPARC partnered with various agencies, would grants be available.
- Mr. Barbee acknowledged he was unsure why SPARC has not met before now, as there has been a significant need. He surmised part of the issue that SPARC has had is because there has not been an open communication with the USDA Wildlife Services. Mr. Barbee reported there are approximately 190,000 ravens in the State, and due to its protected status, the DOA has to go through the U.S. Fish and Wildlife Services for approval to remove the ravens.
- In response to Assemblyman Daly's concerns regarding keeping an overlap in funds separate, Mr. Barbee referenced the provisions of NRS 502.253 where it states the DOA shall receive funds and carry out a predator plan for the protection of wildlife.
- Senator Parks asked who would retain the responsibilities if SPARC was terminated, and Mr. Barbee responded the DOA would, and it would work together with other agencies to the benefit of all the programs.
- Mr. Barbee disclosed future SPARC meetings will coincide with to the Board of Agriculture or the Sagebrush Ecosystem Council meetings because SPARC members are also associated with both of those boards.
- Senator Spearman and Mr. Barbee discussed membership and the opportunity for members to attend meetings by videoconference.
- Chair Bustamante Adams asked about the expiration of SPARC members' service, and Mr. Barbee explained SPARC members are representatives of other boards and member expiration dates are tied to those particular boards.

WORK SESSION—DISCUSSION AND POSSIBLE ACTION ON RECOMMENDATIONS RELATING TO:

- *Advisory Committee on Participatory Democracy (NRS 225.240)*
- *Advisory Committee Concerning the Children's Health Insurance Program (NRS 233A.104)*
- *Committee to Approve Schedules for the Retention and Disposition of Official State Records (NRS 239.073)*
- *State Historical Records Advisory Board (NRS 378A.030)*

- *Rural Advisory Board to Expedite Proceedings for the Placement of Children (NRS 432B.602)*
- *Advisory Committee on the Arthritis Prevention and Control Program (NRS 439.503)*

The following “Work Session Document” ([Exhibit J](#)) has been prepared by the Chair and staff of the Sunset Subcommittee of the Legislative Commission (NRS 232B.210). It is designed to assist the Subcommittee members in determining whether to recommend a board or commission be terminated, modified, consolidated with another agency, or continued. The recommendations contained herein do not necessarily have the support or opposition of the Subcommittee. Rather, these possible actions are compiled and organized so the members may review them to decide whether they should be adopted, changed, rejected, or further considered. They are not preferentially ordered.

Each item in this document may be the subject of further discussion, refinement, or action. Any recommendations to terminate, modify, consolidate with another agency, or continue a board or commission will be forwarded to the Legislative Commission for its consideration. It should also be noted that some of the recommendations may contain an unknown fiscal impact. Subcommittee members should be advised that LCB staff will coordinate with the interested parties to obtain detailed fiscal estimates, if appropriate, for inclusion in the final report.

Finally, please note that specific details of recommendations approved by the Subcommittee may need to be clarified by Subcommittee staff prior to providing the recommendations to the Legislative Commission. Supporting documents for some recommendations may be obtained by contacting Carol M. Stonefield, Managing Principal Research Analyst, Research Division, LCB, at (775) 684-6825 or by e-mail at cstonefield@lcb.state.nv.us.

**RECOMMENDATIONS RELATING TO TERMINATING, CONTINUING,
MODIFYING, OR CONSOLIDATING BOARDS AND COMMISSIONS**

ADVISORY COMMITTEE ON PARTICIPATORY DEMOCRACY (NRS 225.240)

The Advisory Committee on Participatory Democracy (ACPD) was created in 1997 in the Department of Cultural Affairs for the purpose of providing assistance to increase public participation in elections and other civic activities. In 2003, the ACPD was moved to the Office of the Secretary of State. It was also charged with designating the recipient of the Jean Ford Democracy Award. At one time, ACPD received a grant from the federal Help America Vote Act (HAVA). Currently it has no staff, receiving assistance from the staff of the Office of the Secretary of State.

Should the Advisory Committee on Participatory Democracy be terminated?

If the Subcommittee recommends terminating the Advisory Committee, should it be consolidated with another entity or have its duties transferred to another entity?

If the Subcommittee recommends that the Advisory Committee should continue:

a. Does the Subcommittee want to recommend any changes concerning the Advisory Committee on Participatory Democracy?

b. Does the Subcommittee want to recommend any changes to the duties of the Advisory Committee on Participatory Democracy?

At the March 4, 2014, meeting, the Deputy Secretary of State informed the members that the Secretary of State wishes the ACPD to continue. It has exceeded past goals for voter registration and participation. In 2013, an informal group of volunteers was assembled to select the recipient of the Jean Ford Democracy Award. The ACPD had previously benefited from a grant through HAVA, but it currently has no funds to assist members with travel expenses. It is hoped that new members will be appointed by May of this year, so that they may set goals for participation in the 2014 election process.

Although a group was assembled to select the recipient of the Jean Ford Democracy Award in 2013, all positions on the ACPD have been vacant recently. The Deputy Secretary of State testified that the Secretary anticipates that the ACPD will be functioning in time to set goals for the 2014 General Election.

According to the Fiscal Analysis Division, it has a balance in Budget Account 101-1056 of \$51.

In a letter to the Chair and members of the Sunset Subcommittee, the Secretary of State:

- Requested continuation of the Advisory Committee; and
- Recommended that, if the Subcommittee wishes to recommend statutory changes, it might consider repealing some of requirements governing operations of the Committee to allow the Secretary of State and the members of ACPD more flexibility in determining its functions and operations.

Summary of the composition, duties, and operations of the ACPD: NRS 225.200 to 225.270

Advisory Committee members (NRS 225.240): The Advisory Committee consists of 10 members:

- The Secretary of State or designee, and
- Nine others appointed by the Secretary, who shall consider political, geographical, and demographical factors when appointing members.

Each member shall serve for a term of 3 years.

Powers and duties of the Advisory Committee (NRS 225.250): The Advisory Committee shall:

- Assist the Secretary in identifying and proposing programs that support participatory democracy and solutions relating to problems concerning levels of participation;
- Make recommendations concerning programs or other activities designed to increase participation;
- Establish the “Jean Ford Democracy Award” to honor those who serve to promote participation (Jean Ford was an Assemblywoman [1972-1976] and Senator [1978-1982]);
- Support projects at all levels of government that encourage participation; and
- Advise the Secretary and the Governor concerning proclamations issued to recognize Constitution Week and Constitution Day (NRS 236.035).

To assist it in carrying out its duties, the Advisory Committee may establish a panel of representatives of various groups involved in improving participatory democracy.

Operations of the Advisory Committee (NRS 225.240 to 225.270):

- The Secretary shall appoint the Chair and designate staff to assist.
- The Advisory Committee shall meet quarterly.
- The Secretary may apply for grants and other funds to support the Advisory Committee.
- Carol M. Stonefield, previously identified, provided a brief overview of the ACPD, and explained the Subcommittee can make a recommendation to terminate, modify, consolidate with another agency, or continue the ACPD. She added that any recommendations made will be forwarded to the Legislative Commission for its consideration.
- The Subcommittee **APPROVED THE FOLLOWING ACTION:**

ASSEMBLYMAN DALY MOVED TO RECOMMEND CONTINUATION OF THE ADVISORY COMMITTEE ON PARTICIPATORY DEMOCRACY. THE MOTION WAS SECONDED BY SENATOR SETTELMAYER AND PASSED UNANIMOUSLY.

**ADVISORY COMMITTEE CONCERNING THE CHILDREN’S
HEALTH INSURANCE PROGRAM (NRS 233A.104)**

The Advisory Committee Concerning the Children’s Health Insurance Program (ACCCHIP) was established in 1999 at the request of the Legislative Committee on Health Care. It recommended the creation of the Advisory Committee to facilitate enrollment of Native American children in Nevada Check-Up. The Advisory Committee was intended to advise the

Nevada Indian Commission, which would in turn advise the Division of Health Care Financing and Policy of its concerns.

Should the Advisory Committee Concerning the Children's Health Insurance Program be terminated?

If the Subcommittee recommends terminating the Advisory Committee, should it be consolidated with another entity or have its duties transferred to another entity?

If the Subcommittee recommends that the Advisory Committee should continue:

- a. Does the Subcommittee want to recommend any changes concerning the Advisory Committee Concerning the Children's Health Insurance Program?*
- b. Does the Subcommittee want to recommend any changes to the duties of the Advisory Committee Concerning the Children's Health Insurance Program?*

At the March 4, 2014, meeting of the Subcommittee, the Executive Director of the Nevada Indian Commission testified that the Advisory Committee has been inactive since 2003, principally because consultation between the tribes and the DHHS has improved. She suggested that the Advisory Committee has served its purpose and could be terminated.

- Carol M. Stonefield, previously identified, provided a brief overview of the ACCCHIP, and explained the Subcommittee can make a recommendation to terminate, modify, consolidate with another agency, or continue the ACCCHIP. She added that any recommendations made will be forwarded to the Legislative Commission for its consideration.
- The Subcommittee **APPROVED THE FOLLOWING ACTION:**

SENATOR PARKS MOVED TO RECOMMEND TERMINATION OF THE ADVISORY COMMITTEE CONCERNING THE CHILDREN'S HEALTH INSURANCE PROGRAM. THE MOTION WAS SECONDED BY SENATOR SPEARMAN AND PASSED UNANIMOUSLY.

COMMITTEE TO APPROVE SCHEDULES FOR THE RETENTION AND DISPOSITION OF OFFICIAL STATE RECORDS (NRS 239.073)

The Committee to Approve Schedules for Retention and Disposition of Official State Records (SRC) (NRS 239.073 to 239.090) was added to the NRS in 1993. Prior to that, the State Board of Examiners approved the retention schedule for official state records. The Committee is composed of ex officio members and one public member. The Committee reviews and approves schedules for retention and disposition of official records of each agency, board, and commission and advises the Division of State Library and Archives concerning the development and use of schedules.

Should the Committee to Approve Schedules for the Retention and Disposition of Official State Records be terminated?

If the Subcommittee recommends terminating the Committee, should it be consolidated with another entity or have its duties transferred to another entity?

If the Subcommittee recommends that the Committee should continue:

- a. Does the Subcommittee want to recommend any changes concerning the Committee to Approve Schedules for the Retention and Disposition of Official State Records ?*
- b. Does the Subcommittee want to recommend any changes to the duties of the Committee to Approve Schedules for the Retention and Disposition of Official State Records?*

At its meeting on March 4, 2014, the Subcommittee was informed that public bodies must retain written minutes of meetings in a readily accessible location for five years, after which they are to transfer minutes to the State Archives. The members were informed that the Committee receives recommendations from public bodies regarding records retention schedules. The Nevada State Library and Archives prepares a retention schedule, which is submitted to the Committee for review and approval.

To address the issue of providing a penalty for any disposition of official state records in a manner contrary to an approved schedule for retention and disposition, the Subcommittee may wish to consider the following:

Recommend amending the NRS to provide for a penalty that is civil, criminal, or administrative, or some combination of these penalties, depending upon the manner of disposition of a record, which may include destruction of a record rather than retention, or destruction of the record sooner than is permitted by an approved schedule, or some other disposition not provided for by an approved schedule.

- Carol M. Stonefield, previously identified, provided a brief overview of the SRC, and explained the Subcommittee can make a recommendation to terminate, modify, consolidate with another agency, or continue the SRC. She added that any recommendations made will be forwarded to the Legislative Commission for its consideration.

ASSEMBLYMAN DALY MOVED TO RECOMMEND CONTINUATION OF THE COMMITTEE TO APPROVE SCHEDULES FOR THE RETENTION AND DISPOSITION OF OFFICIAL STATE RECORDS, AS WELL AS A RECOMMENDATION TO AMEND THE NRS TO PROVIDE FOR THE ENFORCEMENT OF SOME SORT OF A CIVIL PENALTY OR REPRIMAND FOR THE DISPOSITION OF AN OFFICIAL STATE RECORD IN A MANNER CONTRARY TO AN APPROVED SCHEDULE

FOR RETENTION AND DISPOSITION. THE MOTION WAS SECONDED BY SENATOR SPEARMAN.

- Prior to the vote, Senator Spearman recommended those individuals who are responsible for the retention and disposition of State records be made fully aware of and understand the penalties involved.
- The Subcommittee **APPROVED THE FOLLOWING ACTION:**

THE PREVIOUS MOTION BY ASSEMBLYMAN DALY AND SECONDED BY SENATOR SPEARMAN WAS PASSED UNANIMOUSLY.

STATE HISTORICAL RECORDS ADVISORY BOARD (NRS 378A.030)

The State Historical Records Advisory Board (SHRAB) was first created in 1976 and attached to the Nevada Advisory Council on Libraries in order to qualify for federal funds to preserve state historical records. The Board was established in the NRS in 1989. The Board advises State and local governments, including the Legislative Counsel Bureau, on historical records.

Should the State Historical Records Advisory Board be terminated?

If the Subcommittee recommends terminating the Advisory Board, should it be consolidated with another entity or have its duties transferred to another entity?

If the Subcommittee recommends that the Advisory Board should continue:

- a. Does the Subcommittee want to recommend any changes concerning the State Historical Records Advisory Board?*
- b. Does the Subcommittee want to recommend any changes to the duties of the State Historical Records Advisory Board?*

At the March 4, 2014, meeting, the Chair of the Board testified that no historical documents are destroyed unless approved by the Board, the members of which are appointed by the Governor pursuant to statute to include persons knowledgeable in historical records and archival work.

According to the Fiscal Analysis Division, the activities of the Advisory Board are funded out of a special purpose expenditure category in the State Archives main budget account, 101-1052, rather than in a standalone budget account. There have been \$2,792 in Fiscal Year 2014 year-to-date recorded expenditures.

To address the issue of electronic storage of official and historical State records, the Subcommittee may wish to consider the following:

Urge the State Historical Records Advisory Board to prepare a report on electronic storage of State records to be submitted to the Governor and the Legislative Commission, prior to the convening of the 2015 Session of the Legislature. The report should include models and their estimated costs to implement. This recommendation could take the form of:

- a letter to the Chair of the State Historical Records Advisory Board; or
 - a statement in the Subcommittee's final report; or
 - both.
- Carol M. Stonefield, previously identified, provided a brief overview of the SHRAB, and explained the Subcommittee can make a recommendation to terminate, modify, consolidate with another agency, or continue the SHRAB. She added that any recommendations made will be forwarded to the Legislative Commission for its consideration.
 - Assemblyman Daly focused his comments on the goal to preserve the recordings and minutes of administrative hearings or workshops involving regulations. James W. Penrose, Senior Principal Deputy Legislative Counsel, Legal Division, LCB, stated the Open Meeting Law applies to public bodies that consist of two or more individuals. He noted in 2009, the APA was amended to clearly reflect the requirement that a record of workshops and public hearings, as well as minutes, involving regulations be kept.
 - Assemblyman Daly discussed the importance of clarity to the various agencies in retaining appropriate records of hearings and workshops and with those records then eventually being submitted to the State Archives.
 - Senator Settelmeyer suggested notifying the individuals in charge and providing clearer direction to the particular agency heads, and asked the Chair if she would entertain a motion to continue SHRAB. Chair Bustamante Adams acknowledged she would entertain a motion to continue SHRAB with the inclusion of urging SHRAB to prepare a report on the electronic storage of the State records to be submitted to both the Governor and the Legislative Commission.
 - The Subcommittee **APPROVED THE FOLLOWING ACTION:**

SENATOR SETTELMAYER MOVED TO RECOMMEND CONTINUING THE STATE HISTORICAL RECORDS ADVISORY BOARD AND URGING SHRAB TO PREPARE AND SUBMIT A REPORT ON THE ELECTRONIC STORAGE OF STATE RECORDS TO THE GOVERNOR AND LEGISLATIVE COMMISSION. THE MOTION WAS SECONDED BY ASSEMBLYWOMAN FIORE AND PASSED UNANIMOUSLY.

**RURAL ADVISORY BOARD TO EXPEDITE PROCEEDINGS FOR
THE PLACEMENT OF CHILDREN (NRS 432B.602)**

The Rural Advisory Board to Expedite Proceedings for the Placement of Children (RAB) was established in 1999. The Board is charged to review adoption issues and to move children out of foster care as soon as possible. The district courts in rural counties (judicial districts with populations of less than 100,000) are to establish local advisory boards to expedite proceedings. From each local advisory board, the district court is to appoint two members to serve on the Rural Advisory Board. The Division of Child and Family Services (DCFS), DHHS, is to provide administrative support as requested by the Board.

Should the Rural Advisory Board to Expedite Proceedings for the Placement of Children be terminated?

If the Subcommittee recommends terminating the Advisory Board, should it be consolidated with another entity or have its duties transferred to another entity?

If the Subcommittee recommends that the Advisory Board should continue:

- a. Does the Subcommittee want to recommend any changes concerning the Rural Advisory Board to Expedite Proceedings for the Placement of Children?*
- b. Does the Subcommittee want to recommend any changes to the duties of the Rural Advisory Board to Expedite Proceedings for the Placement of Children?*

At the February 3, 2014, meeting, the Deputy Division Administrator for DCFS, DHHS, confirmed that the Rural Advisory Board does not meet.

A memorandum from Subcommittee staff and a letter from the Deputy Administrator, DCFS, providing information in response to questions raised during the review, are included in the supporting documents to this work session document.

- Carol M. Stonefield, previously identified, provided a brief overview of the RAB, and explained the Subcommittee can make a recommendation to terminate, modify, consolidate with another agency, or continue the RAB. She added that any recommendations made will be forwarded to the Legislative Commission for its consideration.
- Senator Spearman asked for confirmation if the recommendation for termination of RAB by the DCFS, DHHS was due to lack of budget. Ms. Stonefield directed the Subcommittee's attention to a letter received from the Deputy Division Administrator, which did not specifically mention lack of funds, but that there were no local advisory boards established by the judicial districts, and without those boards, there were no members. (See Tab C of [Exhibit J.](#)) Senator Spearman voiced a concern that if the Subcommittee sunsets RAB, it must ensure that the duties of RAB are covered by another entity.

- Senator Settelmeyer added in his discussions with district judges in his jurisdiction, there has not been a need for RAB and he would recommend sunseting.

SENATOR SETTELMAYER MOVED TO RECOMMEND SUNSETTING THE RURAL ADVISORY BOARD TO EXPEDITE PROCEEDINGS FOR THE PLACEMENT OF CHILDREN. SENATOR PARKS SECONDED THE MOTION.

- Prior to taking a vote, David Goldwater, previously identified, reviewed the intent of the Sunset Subcommittee of the Legislative Commission, observing the purpose was to sunset unnecessary boards and, in some cases, programs with the proviso that should the need arise in the future, it may be readdressed through the legislative process.
- Carol Stonefield, previously identified, explained a recommendation the Subcommittee may make in its report is that the local advisory boards be reviewed in a future session by the committees on health care. She stated as there are no members on the local advisory boards, therefore there can be no members on the State RAB.
- Chair Bustamante Adams said the Subcommittee is repealing the RAB on the State level, and advised that a recommendation by the Subcommittee may be made for the DHHS to review boards at the local level and make effective changes, or that the situations addressed in previous testimony be considered in another manner. Senator Settelmeyer agreed to amend the motion to reflect the recommendation. Senator Parks agreed.
- The Subcommittee **APPROVED THE FOLLOWING ACTION:**

VOTED UNANIMOUSLY TO RECOMMEND SUNSETTING THE RURAL ADVISORY BOARD TO EXPEDITE PROCEEDINGS FOR THE PLACEMENT OF CHILDREN AND DIRECTING THE NEVADA DEPARTMENT OF HEALTH AND HUMAN SERVICES TO REVIEW BOARDS AT THE LOCAL LEVEL.

ADVISORY COMMITTEE ON THE ARTHRITIS PREVENTION AND CONTROL PROGRAM (NRS 439.503)

The Arthritis Prevention and Control Program (APCP) was established in 2003 within the Division of Public and Behavioral Health to increase public knowledge and raise public awareness relating to arthritis. The Advisory Committee on the Arthritis Prevention and Control Program was also created in 2003 to make recommendations about the Program. The Program and the Advisory Committee were to provide a statutory structure to demonstrate the State's commitment to funding sources, such as the Centers for Disease Control and Prevention and the Arthritis Foundation.

Should the Advisory Committee on the Arthritis Prevention and Control Program be terminated?

If the Subcommittee recommends terminating the Advisory Committee, should it be consolidated with another entity or have its duties transferred to another entity?

If the Subcommittee recommends that the Advisory Committee should continue:

- a. Does the Subcommittee want to recommend any changes concerning the Advisory Committee on the Arthritis Prevention and Control Program?***
- b. Does the Subcommittee want to recommend any changes to the duties of the Advisory Committee on the Arthritis Prevention and Control Program?***

At its meeting on February 3, 2014, the Subcommittee was informed that no records of the Advisory Committee are available. The Chief of the Bureau of Child, Family, and Community Wellness stated that the Advisory Council on the State Program for Wellness and the Prevention of Chronic Disease (CWCD) has similar goals and could advise on these issues. She also noted that, due to a lack of funding and staff capacity, DHHS would recommend sunsetting this Committee.

According to the Fiscal Analysis Division, the Advisory Committee has never been a standalone budget account or activity. The Advisory Committee was established to provide assistance to the Administrator of the Division of Public and Behavioral Health, which is permitted to apply for grants and accept gifts. No General Fund appropriations have been provided. Federal grant funds were received and expended in Health Division Budget Account 101-3220. This is still an active budget account for chronic disease control activities.

If the Subcommittee wishes to recommend the termination of the Advisory Committee on the Arthritis Prevention and Control Program, it may wish to consider the following:

- A. Recommend amending the NRS to provide that the CWCD study issues relating to arthritis and make recommendations to the Division of Public and Behavioral Health concerning the Arthritis Prevention and Control Program.
- B. Send a letter to the Director of the Department of Health and Human Services, requesting that he report to the Sunset Subcommittee by January 1, 2016, on activities of the CWCD with regard to the Arthritis Prevention and Control Program.

An email, indicating the Division of Public and Behavioral Health will utilize the CWCD as an advisory committee on arthritis prevention and control, is included in the supporting documents to this work session document.

- Carol M. Stonefield, previously identified, provided a brief overview of the APCP, and explained the Subcommittee can make a recommendation to terminate, modify, consolidate

with another agency, or continue the APCP. She added that any recommendations made will be forwarded to the Legislative Commission for its consideration.

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

SENATOR SPEARMAN MOVED TO RECOMMEND THAT THE ADVISORY COMMITTEE ON THE ARTHRITIS PREVENTION AND CONTROL PROGRAM BE TERMINATED AND FURTHER RECOMMENDED ADOPTION OF RECOMMENDATION A AND RECOMMENDATION B CONTAINED IN THE WORK SESSION DOCUMENT. THE MOTION WAS SECONDED BY ASSEMBLYWOMAN FIORE AND PASSED UNANIMOUSLY.

PUBLIC COMMENT

- Chair Bustamante Adams called for public comment; however, none was presented.

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 12:53 p.m.

Respectfully submitted,

Natalie J. Pieretti
Senior Research Secretary

Carol M. Stonefield
Managing Principal Policy Analyst

APPROVED BY:

Irene Bustamante Adams, Chair

Date: _____

LIST OF EXHIBITS

[Exhibit A](#) is the “Meeting Notice and Agenda” provided by Carol M. Stonefield, Managing Principal Policy Analyst, Research Division, Legislative Counsel Bureau (LCB), Carson City.

[Exhibit B](#) is a packet of information for the “Nevada Commission on Homeland Security” provided by Carol M. Stonefield, Managing Principal Policy Analyst, Research Division, LCB.

[Exhibit B-1](#) is the written testimony of Christopher Smith, Chief, Nevada Division of Emergency Management – Homeland Security, Department of Public Safety.

[Exhibit C](#) relates to material received on behalf of the “Committee for the Statewide Alert System” presented by Carol M. Stonefield, Managing Principal Policy Analyst, Research Division, LCB.

[Exhibit D](#) contains documents submitted on behalf of the “Board of Examiners for Audiology and Speech Pathology” introduced by Carol M. Stonefield, Managing Principal Policy Analyst, Research Division, LCB.

[Exhibit E](#) is a packet of information titled “Board of Hearing Aid Specialists” given by Carol M. Stonefield, Managing Principal Policy Analyst, Research Division, LCB.

[Exhibit E-1](#) is a document titled “The Board” submitted by Melissa Maestas, Chair, Board of Hearing Aid Specialists.

[Exhibit F](#) are documents for the “Medical Care Advisory Group” provided by Carol M. Stonefield, Managing Principal Policy Analyst, Research Division, LCB.

[Exhibit G](#) contains information on behalf of the “Board of Examiners for Long-Term Care Administrators” and was submitted by Carol M. Stonefield, Managing Principal Policy Analyst, Research Division, LCB.

[Exhibit H](#) is a packet of documents for the “Nevada Transportation Authority” provided by Carol M. Stonefield, Managing Principal Policy Analyst, Research Division, LCB.

[Exhibit H-1](#) is the “Summary Budget Status Report” for Account Number 3922 submitted by Andrew J. MacKay, Chair, Nevada Transportation Authority (NTA).

[Exhibit H-2](#) is the “Summary Budget Status Report” for Account Number 3923 provided by Andrew J. MacKay, Chair, NTA.

[Exhibit I](#) is material received on behalf of the “State Predatory Animal and Rodent Committee,” presented by Carol M. Stonefield, Managing Principal Policy Analyst, Research Division, LCB.

[Exhibit J](#) is the “Work Session Document” prepared by Carol M. Stonefield, Managing Principal Policy Analyst, Research 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 and other materials distributed at the meeting 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.