

SUMMARY OF RECOMMENDATIONS

NEVADA SILVER HAIRED LEGISLATIVE FORUM

Nevada Revised Statutes 427A.320

This summary presents the recommendations approved by the Nevada Silver Haired Legislative Forum at its meeting on October 9, 2018. The Forum voted to forward one bill draft request (BDR) to the 80th Session of the Nevada Legislature.

RECOMMENDATIONS FOR LEGISLATION

Organization of the Nevada Silver Haired Legislative Forum

1. Request the drafting of a bill to amend [NRS 427A.320 through 427A.400](#) regarding the Forum's organizational structure, membership, terms and duties of office, and ex officio membership of the National Silver Haired Congress delegates. The proposed conceptual amendments would: (1) exclude ex officio members from serving as officers of the Forum; (2) grant ex officio members voting privileges if they meet certain qualifications; (3) clarify the terms and duties of the president and vice president, create two new officer positions, and delete the Forum officer positions of secretary and treasurer; and (4) increase the available BDRs from one to three. **(BDR 38-534)**

RECOMMENDATIONS FOR COMMITTEE ACTION

Medicaid-related Issues Impacting Senior Citizens

2. Send a letter to the governor (and, after January 7, 2019, the newly elected governor), the Senate Committee on Finance, the Assembly Committee on Ways and Means, and the Department of Health and Human Services (DHHS) urging the revision and increase of Medicaid reimbursement rates for various services and programs including, but not limited to, adult day care facilities, augmented personal care services at community-based residential facilities, in-home personal care assistance services, and services provided at skilled nursing homes. The letter shall state that the current Medicaid reimbursement rates: (1) do not adequately cover certain service expenses, which leads to difficulties with hiring new staff and maintaining current staff; and (2) contribute to an ongoing caregiver crisis in the state, adversely affecting seniors dependent on caregiving services.
3. Send a letter to the governor (and, after January 7, 2019, the newly elected governor), the Senate Committee on Finance, the Assembly Committee on Ways and Means, and DHHS urging the elimination of the cap on the number of Home and Community Based Waiver for the Frail Elderly slots.

Respite Services

4. Include a statement in the Forum's final report requesting additional sources of funding for respite services for middle-income families. Currently, respite services grants are available

for those with lower incomes, while moderately higher income earners cannot afford care for their loved ones.

5. Send a letter to the governor (and, after January 7, 2019, the newly elected governor) and DHHS urging: (1) policy positions that financially support adult day care (ADC) providers; (2) the Department to convene a group of Nevada ADC providers to review the regulations governing the ADC industry; and (3) the creation of a plan to modify regulations determined by the ADC industry to be overly burdensome. Testimony indicated these actions would assist ADC providers to develop and open more ADC centers throughout the state. Current low reimbursement rates and stricter regulations in the state disincentivize the development of new for-profit ADC centers.

Compensation and Training for Certain Geriatric Care Professions

6. Send a letter to the governor (and, after January 7, 2019, the newly elected governor) and DHHS expressing the Forum's concerns and requesting action regarding the current lack of access to personal care assistant (PCA) services for low- to middle-income seniors and their families. Contributing to this lack of access are limited qualification opportunities for PCAs and a reported pay gap between state-reimbursed and privately compensated PCA services.
7. Send a letter to the chair of the Legislative Committee on Senior Citizens, Veterans and Adults With Special Needs and include a statement in the Forum's final report supporting the Committee's decision to continue the study, as required by [Assembly Bill 299](#) (2017), to review and study the training programs implemented by certain homes and facilities.
8. Send a letter to the governor (and, after January 7, 2019, the newly elected governor) and DHHS urging them to review and act upon the following issues regarding social workers:
 - a. Increasing the geriatric training and specialization opportunities for social workers in the state. The growth of Nevada's senior population is outpacing the number of social workers with an educational background in geriatrics;
 - b. Evaluating and adjusting the overall compensation and benefits discrepancies between state-employed social workers and social workers employed at the county and federal levels as well as those employed by the private sector;
 - c. Evaluating and adjusting the disparate compensation of social workers employed by Elder Protective Services (EPS), Aging and Disability Services Division, DHHS, and Child Protective Services (CPS), Division of Child and Family Services, DHHS. For example, CPS social workers may be promoted up to [Social Worker III](#), whereas EPS social workers cannot receive this kind of class promotion; and
 - d. Evaluating and decreasing the workload, including the clients-to-social-worker ratio, of state-employed social workers to decrease staff turnover and burnout rates.

Community Care Need Projections

9. Prepare a Forum resolution urging the Nevada Legislature to create an interim study for the 2019–2020 Interim that would study projections regarding the care needs of different communities in the state. The resolution shall specify requirements for the study to develop a projection model, layer the model on different communities based on demographics, and assist Nevadans to promote and recognize the care needs of their respective communities.

Isolation Stigma of Seniors

10. Prepare a Forum resolution to raise awareness of the isolation stigma of seniors and to advocate on behalf of seniors who face this stigma. The resolution will include information on how seniors may experience discrimination, institutional stereotyping, and prejudice, which could lead them to socially isolate themselves. The resolution will explain how this isolation stigma may cause anxiety, depression, helplessness, and a loss of productivity and self-esteem. Such stigma may have various effects on the overall mental and physical health of a senior. The resolution shall also specify that the isolation of seniors increases a senior's vulnerability to abuse and self-neglect as his or her social structure dissolves over time.

Supported Decision-Making Agreements

11. Send a letter to the chairs of the Senate and Assembly Committees on Health and Human Services expressing the Forum's support of BDR –164, which would implement supported decision-making agreements and was requested by the Legislative Committee on Senior Citizens, Veterans and Adults With Special Needs at its meeting on July 19, 2018. Also, include a statement in the Forum's final report supporting BDR –164 and the implementation of supported decision-making agreements.

Flexibility of Caregiver Sick Leave

12. Send a letter to the chairs of the Senate and Assembly Committees on Health and Human Services and include a statement in the Forum's final report supporting BDR 53–169 concerning the flexibility of caregiver sick leave. The BDR is a redraft of [Assembly Bill 394](#), known as the "Caregiver Flexibility Sick Leave Bill," which did not pass in the 2017 Legislative Session. The BDR was requested by the Legislative Committee on Senior Citizens, Veterans and Adults With Special Needs at its meeting on July 19, 2018.

Regulations Addressing Businesses Operating in the Long-Term Care Industry

13. Send a letter to the chairs of the Senate and Assembly Committees on Health and Human Services and include a statement in the Forum's final report supporting legislation regarding residential facilities for groups, community-based living arrangements, and certain unregulated residential facilities on health care as proposed by the Legislative Committee on Health Care at its meeting on September 24, 2018. The committee proposed legislation to direct DHHS to review unlicensed group homes to ensure quality and safety protections to safeguard vulnerable populations, evaluate the impact of overregulation, and broaden the definition of

a referral agency in [NRS 449.0305](#) by expanding the licensing requirement to additional business types.

14. Include a statement in the Forum's final report supporting BDR 40–170, which would relocate provisions regarding community-based living arrangement services ([NRS 433.605](#)) under [Chapter 449](#) of NRS. The BDR was requested by the Legislative Committee on Senior Citizens, Veterans and Adults With Special Needs at its meeting on July 19, 2018.
15. Include a statement in the Forum's final report to advocate for legislation to establish mandated staff-to-client ratios in long-term care facilities that must be based on the individual needs of the residents.

Strategic Planning Efforts of the Aging and Disability Services Division

16. Include a statement in the Forum's final report to extend an official declaration to all long-term services and supports providers, the governor (and, after January 7, 2019, the newly elected governor), and DHHS indicating the Forum's strong concurrence and alignment with the Aging and Disability Services Division's efforts in strategic planning. Include the Forum's support for the principles of access, dignity, independence, integration, quality, and sustainability, which are core components of these strategic planning efforts.
17. Include a statement of support in the Forum's final report to advocate for the findings and suggestions of [Nevada's No Wrong Door Strategic Plan 2015–2018](#). A focus of the statement shall be on person-centered planning and the barriers seniors may face if person-centered planning is not practiced by any long-term services and supports provider. The statement shall also evaluate options and opportunities for professionals that, for instance, do not have the resources to implement person-centered services.