



NEVADA LEGISLATURE

NEVADA SILVER HAired LEGISLATIVE FORUM

(*Nevada Revised Statutes [NRS] 427A.320*)

SUMMARY MINUTES

November 13, 2019

The second meeting of the Nevada Silver Haired Legislative Forum for the 2019–2020 Interim was held on Wednesday, November 13, 2019, at 9 a.m. in Room 3138, Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4401, Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada.

The agenda, minutes, meeting materials, and audio or video recording of the meeting are available on the Forum's [meeting page](https://www.leg.state.nv.us/Granicus/). The audio or video recording may also be found at <https://www.leg.state.nv.us/Granicus/>. Copies of the audio or video record can be obtained through the Publications Office of the Legislative Counsel Bureau (LCB) (publications@lcb.state.nv.us or 775/684-6835).

COMMITTEE MEMBERS PRESENT IN CARSON CITY:

John A. Yacenda, Ph.D., M.P.H., P.A.H.M., President, Senate District 16
Lucille Adin, Senate District 13
Diane Baranowski, Northern Facilitator, Senate District 15

COMMITTEE MEMBERS PRESENT IN LAS VEGAS:

Barbara Altman, Vice President, Senate District 9
Joann M. Bongiorno, Senate District 7
Evelyn Cannestra, M.S.W., Southern Facilitator, Senate District 8
Verlia Davis-Hoggard, Senate District 4
Liliam Lujan Hickey, Senate District 21
Ross Johnson, Senate District 12
Marilyn E. Jordan, Ed.D., Senate District 11
Rick Kuhlmeier, Senate District 2
Mercedes Maharis, M.A., M.S., M.A., Senate District 3
William Marchant, Senate District 5
Mary D. Roberts, Ex Officio Member, Silver Senator, National Silver Haired Congress
Betty Rumford, Senate District 6
Fred L. Silberkraus, Senate District 20
Rosie Tyler, Senate District 1

COMMITTEE MEMBERS ABSENT:

Doris (Dottie) J. Ahrens, Senate District 19

Fran Almaraz, Senate District 10

John Paul (Jack) Ginter, Jr., Senate District 14

Russ Schoenbeck, Ex Officio Member, Silver Representative, National Silver Haired Congress

Lonnie Strait, Ex Officio Member, Silver Senator, National Silver Haired Congress

Senate District 17, Vacant

Senate District 18, Vacant

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:

Marsheilah D. Lyons, Deputy Director, Research Division

Bryan J. Fernley, Senior Principal Deputy Legislative Counsel, Legal Division

Ashlee Kalina, Policy Analyst, Constituents Services Unit, Research Division

Julianne King, Research Policy Assistant, Research Division

Items taken out of sequence during the meeting have been placed in agenda order.

AGENDA ITEM I—CALL TO ORDER AND OPENING REMARKS

President Yacenda called the meeting to order and welcomed Forum members, presenters, and the public to the second meeting of the Nevada Silver Haired Legislative Forum. He shared his professional history with Marsheilah D. Lyons, previously identified, and pointed out the Forum is fortunate to be working with her. He noted the passage of [Senate Bill 24](#) (2019), which reorganized the Forum and created structural changes, one being the role of the Forum's vice president. President Yacenda stated Vice President Barbara Altman would explain the role and responsibilities of the Forum's facilitators ([Agenda Item V](#)) and preside over the meeting when facilitators share their reports with the Forum ([Agenda Item VI](#)).

Ms. Lyons explained she had reached out to the Office of the Governor at President Yacenda's request in order to coordinate a collaboration between the Forum and the Office for the purpose of addressing senior issues in Nevada.

AGENDA ITEM II—ROLL CALL

Julianne King, previously identified, took roll call.

AGENDA ITEM III—PUBLIC COMMENT

President Yacenda called for public comment.

Ms. Maharis discussed the lack of available statistics on homeless seniors and requested such information be provided by any person or entity that may have it. She expressed her concerns over a recent ordinance passed by the Las Vegas City Council that criminalizes sleeping or camping in public areas if there are available beds in nearby shelters and the financial and humanitarian implications of such regulations. Ms. Maharis referred to a document she submitted to the Forum concerning issues affecting seniors, particularly homeless seniors and Nevada's aging prison population ([Agenda Item III A-1](#)). She recommended that the Forum consider these issues for future study and action.

In response to Ms. Maharis's testimony, Ms. Altman referred to the article submitted by Ms. Maharis on tiny homes built for homeless veterans in Canada ([Agenda Item III A-2](#)). She noted members will reach out to seniors in the community to discuss which issues they would like the Forum to focus on.

Ms. Cannestra discussed her past work in the juvenile justice system and pointed out the need for support services for homeless people and those with drug addictions.

President Yacenda stated the homeless seniors issue would be an agenda item at the next meeting and noted that information on this topic would be made available to members prior to the meeting.

AGENDA ITEM IV—APPROVAL OF MINUTES OF THE MEETING HELD ON AUGUST 14, 2019

MOTION: Dr. Marchant moved to approve the minutes of the meeting held on August 14, 2019. The motion was seconded by Ms. Adin and passed unanimously.

AGENDA ITEM V—ROLE AND RESPONSIBILITIES OF FORUM FACILITATORS

Ms. Altman debriefed on the role and responsibilities of Forum facilitators ([Agenda Item V](#)).

Dr. Jordan suggested the Forum create a plan to develop its branding and advocacy for seniors.

In response to a question from Ms. Tyler, Marsheilah D. Lyons, previously identified, clarified that while it is the primary responsibility of the facilitators to engage in community outreach, all Forum members are encouraged to work with the facilitators to do the same in their respective communities. She recommended that members review the provided overview ([Agenda Item V](#)).

AGENDA ITEM VI—FACILITATOR REPORTS CONCERNING ISSUES OF IMPORTANCE TO SENIORS

Diane Baranowski, the Forum's northern facilitator, gave a report on actions she plans to take to gather information on issues of importance to senior citizens in the northern part of the state ([Agenda Item VI](#)).

Ms. Cannestra, the Forum's southern facilitator, expressed her concerns about the poor quality of care and benign neglect of seniors both reported to her and that she witnessed while visiting an assisted living facility. She emphasized that many of those effected by benign neglect are elderly women.

Marsheilah D. Lyons, previously identified, informed members that if there are particular cases wherein constituents need information or assistance, they are encouraged to reach out to the Constituent Services Unit within the Research Division, LCB.

President Yacenda called for a brief recess.

President Yacenda called the Forum back to order and noted that going forward, members would identify issues of importance to seniors they wish to pursue after receiving the facilitators' reports.

AGENDA ITEM VII—PROTECTING NEVADA'S SENIOR CITIZENS FROM PHONE FRAUD, PHISHING, UTILITY SCAMS, AND ROBOCALLS

A. COMBATING UTILITY SCAMS

Whitney Digesti, Deputy Attorney General, Bureau of Consumer Protection (BCP), Office of the Attorney General (AG), gave a presentation on combating utility scams in Nevada ([Agenda Item VII A](#)).

In response to questions from President Yacenda, Samuel S. Crano, Assistant Staff Counsel, Public Utilities Commission of Nevada (PUCN), and Ms. Digesti emphasized: (1) utilities will not be shut off without written notice; (2) filing complaints with the AG's Office is instrumental in identifying utility scams and can be done via an online form; and (3) complaints over issues with cable companies can be directed to the Office of the AG.

Responding to President Yacenda's request to run a test of the online complaint form, Ms. Digesti indicated she would consult her supervisor and get back to him. She noted she would leave her information with Ms. Baranowski.

Mr. Crano gave a presentation on consumer's bill of rights and what to know to avoid scammers' threats ([Agenda Item VII B-1](#)).

Discussion ensued among Mr. Crano, Ms. Bongiorno, and Ms. Cannestra about concerns over smart meters.

In response to a question from Dr. Jordan, Mr. Crano explained information on public utilities is available in Chapter 704 ("Regulation of Public Utilities Generally") of the *Nevada Administrative Code* as well as published on the PUCN website. He pointed out the consumer complaints hotline for both northern Nevada ([775] 684-6100) and southern Nevada ([702] 486-2600) and drew the Forum's attention to a fact sheet showcasing the consumer bill of rights ([Agenda Item VII B-2](#)).

B. CYBERSECURITY AND INTERNET SCAMS

Laura Tucker, Senior Deputy Attorney General, BCP, Office of the AG, gave a presentation on cyber safety considerations for seniors ([Agenda Item VII C](#)).

President Yacenda thanked Ms. Tucker for her presentation and specifically for providing telephone numbers and email addresses for cyber security resources.

In response to a question from Dr. Jordan regarding the distribution of cybersecurity information to seniors in the community, President Yacenda pointed out the information may be accessed and printed from the Forum's [meeting page](#).

C. REPORTING ELDER EXPLOITATION AND MEDICAID FRAUD

Jeff Duncan, Social Services Chief II, Senior Medicare Patrol (SMP), Aging and Disability Services Division (ADSD), Department of Health and Human Services (DHHS), and LaDonne Knighten, Social Services Program Specialist III, SMP, ADSD, DHHS, gave a presentation on Senior Medicare Patrol and examples of scams targeting seniors ([Agenda Item VII D-1](#)).

Responding to a question from President Yacenda, Mr. Duncan and Ms. Knighten discussed the importance of reporting Medicare fraud in order to: (1) ensure Medicare has adequate funding for future generations; and (2) prevent seniors from being denied services due to incorrect medical information created by fraud. Mr. Duncan encouraged those wanting to report suspected Medicare fraud to call (800) 633-4227.

Mr. Duncan and Ms. Knighten also submitted a brochure on detecting and reporting Medicare fraud ([Agenda Item VII D-2](#)).

Tammy Sever, Social Services Chief, Adult Protective Services (APS), ADSD, DHHS, and Elizabeth McCurdy, Social Services Manager II, APS, ADSD, DHHS, gave a presentation on APS and the exploitation of vulnerable adults ([Agenda Item VII E](#)).

Responding to Ms. Cannestra's, Ms. Bongiorno's, and Ms. Maharis's concerns, Ms. McCurdy and Ms. Sever explained that APS investigates allegations of abuse, neglect, and exploitation both in long-term care settings and at the hands of guardians.

AGENDA ITEM VIII—INFORMING THE PUBLIC OF CITATIONS AND DEFICIENCIES IN CERTAIN GROUP HOMES AND OTHER RESIDENTIAL FACILITIES

Jennifer Williams-Woods, State Long-Term Care Ombudsman, Office of the State Long-Term Care Ombudsman, ADSD, DHHS, presented an overview of the Office and how it receives and handles complaints ([Agenda Item VIII A](#)).

Discussion ensued among Ms. Williams-Woods, Ms. Adin, Ms. Cannestra, and President Yacenda on the following:

- The benefits of residents receiving personal attention from the ombudsman's office staff;
- The relatively low number of complaints received by the ombudsman's office compared to the number of Nevadans in long-term care facilities;
- The high percentage of complaints that are either partially or completely resolved;
- The nature of complaints received; and
- The responsibility of law enforcement, rather than the ombudsman's office, to investigate reports of suspicious accidents or deaths that occur in long-term care facilities.

Ms. Williams-Woods pointed out the Long-Term Care Ombudsman Program hotline, (800) 282-1155, which responds to concerns and complaints about long-term care facilities.

Margot Chappel, Deputy Administrator, Regulatory and Planning Services, Division of Public and Behavioral Health (DPBH), DHHS, and Leticia Metherell, Health Program Manager III, Bureau of Health Care Quality and Compliance, DPBH, DHHS, gave a brief overview of citations and deficiencies in certain group homes and other residential facilities ([Agenda Item VIII B](#)).

Responding to questions from President Yacenda and Ms. Maharis, Ms. Chappel and Ms. Metherell discussed the following:

- Examples of varying severity levels of deficiencies that may be found in group homes;
- Actions taken when a resident is found to be in immediate jeopardy;
- The Division's focus on regulating the health and safety of care facility residents;
- The process for surveying facilities and notifying them of deficiencies; and
- How to publicly report facilities and view citations and plans of correction online.

Ms. Chappel agreed to provide members with: (1) an extensive list of cited deficiencies in residential facilities; and (2) the phone numbers for reporting related complaints in both northern and southern Nevada subsequent to the meeting.

AGENDA ITEM IX—PUBLIC COMMENT

President Yacenda called for public comment.

Ms. Maharis, previously identified, pointed out the low number of bills brought forth by the Forum that have been passed into law since 1997. She opined that Forum members should evaluate entities similar to the Forum in other states and their successes and use that information to consider expanding or revising the mission for the Forum.

President Yacenda pointed out that many entities similar to the Forum in other states have dissolved and noted the Forum is going in a new direction.

AGENDA ITEM X—ADJOURNMENT

There being no further business to come before the Forum, the meeting was adjourned at 1:25 p.m.

Respectfully submitted,

Julianne King

Research Policy Assistant

Marsheilah D. Lyons

Deputy Research Director

APPROVED BY:

Dr. John A Yacenda, Ph.D., M.P.H., P.A.H.M.,

President

Date: _____

MEETING MATERIALS

AGENDA ITEM	PRESENTER/ENTITY	DESCRIPTION
Agenda Item III A-1	Mercedes Maharis, M.A., M.S., M.A., Senate District 3, Nevada Silver Haired Legislative Forum (NSHLF),	Email regarding issues of importance to seniors
Agenda Item III A-2	Mercedes Maharis, M.A., M.S., M.A., Senate District 3, NSHLF	Article on housing for homeless veterans in Canada
Agenda Item V	Barbara Altman, Vice President, Senate District 9, NSHLF	Document on role and responsibilities of facilitators
Agenda Item VI	Diane Baranowski, Northern Facilitator, Senate District 15, NSHLF	Northern Facilitator report
Agenda Item VII A	Whitney Digesti, Deputy Attorney General, Bureau of Consumer Protection (BCP), Office of the Attorney General (AG)	PowerPoint presentation
Agenda Item VII B-1	Samuel S. Crano, Assistant Staff Counsel, Public Utilities Commission of Nevada (PUCN)	PowerPoint presentation
Agenda Item VII B-2	Samuel S. Crano, Assistant Staff Counsel, PUCN	Fact sheet on consumer bill of rights
Agenda Item VII C	Laura Tucker, Senior Deputy Attorney General, BCP, Office of the AG	PowerPoint presentation
Agenda Item VII D-1	Jeff Duncan, Social Services Chief II, Senior Medicare Patrol (SMP), Aging and Disability Services Division (ADSD), Department of Health and Human Services (DHHS); LaDonne Knighten, Social Services Program Specialist II, SMP, ADSD, DHHS	PowerPoint presentation
Agenda Item VII D-2	Jeff Duncan, Social Services Chief II, SMP, ADSD, DHHS; LaDonne Knighten, Social Services Program Specialist II, SMP, ADSD, DHHS	Brochure about SMP

AGENDA ITEM	PRESENTER/ENTITY	DESCRIPTION
<u>Agenda Item VII E</u>	Tammy Sever, Social Services Chief, Adult Protective Services (APS), ADSD, DHHS; Elizabeth McCurdy, Social Services Manager II, APS, ADSD, DHHS	PowerPoint presentation
<u>Agenda Item VIII A</u>	Jennifer Williams-Woods, State Long-Term Care Ombudsman, Office of the State Long-Term Care Ombudsman, ADSD, DHHS	PowerPoint presentation
<u>Agenda Item VIII B</u>	Margot Chappel, Deputy Administrator, Regulatory and Planning Services, Division of Public and Behavioral Health (DPBH), DHHS; Leticia Metherell, Health Program Manager III, Bureau of Health Care Quality and Compliance, DPBH, DHHS	PowerPoint presentation

The Summary Minutes are supplied as an informational service. All meeting materials are on file in the Research Library of the Legislative Counsel Bureau, Carson City, Nevada. For copies, contact the Library at (775) 684-6827 or <https://www.leg.state.nv.us/Division/Research/Library/About/Contact/feedbackmail.cfm>.