



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

SUMMARY MINUTES AND ACTION REPORT

The fourth meeting of Nevada's Legislative Committee on Health Care was held on Tuesday, January 10, 2006, at 9 a.m. in Room 3138 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. A copy of this set of "Summary Minutes and Action Report," including the "Meeting Notice and Agenda" ([Exhibit A](#)) and other substantive exhibits, is available on the Nevada Legislature's Web site at www.leg.state.nv.us/73rd/Interim. In addition, copies of the audio record may be purchased through the Publications Office, Legislative Counsel Bureau (LCB) (e-mail: publications@lcb.state.nv.us; telephone: 775/684-6835).

COMMITTEE MEMBERS PRESENT IN CARSON CITY:

Senator Maurice E. Washington, Chairman
Assemblywoman Sheila Leslie, Vice Chairwoman

COMMITTEE MEMBERS PRESENT IN LAS VEGAS:

Senator Joe Heck
Senator Steven A. Horsford
Assemblyman Joe Hardy
Assemblywoman Kathy McClain

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:

Marsheilah D. Lyons, Senior Research Analyst, Research Division, LCB
Amber J. Joiner, Senior Research Analyst, Research Division, LCB
Leslie K. Hamner, Principal Deputy Legislative Counsel, Legal Division, LCB
Erin DeLong, Senior Research Secretary, Research Division, LCB

OPENING REMARKS

Senator Maurice E. Washington, Chairman, welcomed members and the public to the fourth meeting of the 2005-2006 interim of the Legislative Committee on Health Care.

PRESENTATION OF A TIMELINE AND FORMAT FOR THE DEVELOPMENT OF A COMPREHENSIVE PLAN CONCERNING THE PROVISION OF HEALTH CARE IN THIS STATE PURSUANT TO NRS 449.520 AS AMENDED BY ASSEMBLY BILL 342 (CHAPTER 418, *STATUTES OF NEVADA 2005*)

(As directed by Chairman Washington, this agenda item was taken out of order.)

- Peter Burns, Corporate Director, EP&P Consulting, Inc., Phoenix, Arizona, discussed highlights from the United States Department of Health and Human Services Administration (HRSA) work force profile for Nevada ([Exhibit B](#)), which included: (1) health services employment data, growth predictors for health service industry and general population; (2) mortality rates and causes of death; and (3) staffing ratios of health providers to patients, and availability of hospital beds. He also reviewed health coverage data for insured and uninsured populations in the U.S. as compared to Nevada ([Exhibit C](#)). Mr. Burns concluded with a slide presentation ([Exhibit D](#)) on EP&P's plan of action to develop a comprehensive statewide health care plan for Nevada. Highlights from his presentation included:
 1. Examining and evaluating six components in Nevada's health care system with an emphasis on how each one monitors and improves the quality of care provided to patients, and patients' access to care and/or service;
 2. Developing meaningful definitions and focus areas of: (a) health care facilities and professionals; (b) insurance and pharmaceutical coverage; (c) professional education; and (d) the public health system;
 3. Conducting an "environmental scan" of health care in Nevada and preparing a summary of high-level background information;
 4. Establishing stakeholder and focus groups to participate in town hall meetings; and
 5. Delivering project papers, including a comprehensive statewide health care plan, within a defined timeline.

There was a discussion regarding the availability of health care coverage for self-insured individuals. The Chairman commented that stakeholder input should include participation in town hall meeting formats and the Committee members should choose that direction and level of interaction as they address their individual areas of interest within the comprehensive statewide health care plan. The Chairman said that two members are allowed to attend stakeholder meetings and the selection of participants should begin with hospital representation.

PRESENTATIONS REGARDING CERTAIN HEALTH CARE PROFESSIONALS LICENSED BY THE STATE OF NEVADA

C. State Board of Osteopathic Medicine (NRS 633.181)

(As directed by Chairman Washington, this agenda item was taken out of order.)

- Larry J. Tarno, D.O., Executive Director, State Board of Osteopathic Medicine, introduced Rudy R. Manthei, D.O., President, State Board of Osteopathic Medicine, Las Vegas. Dr. Manthei provided information on the Board, which included a profile of Nevada's licensee population, the licensing requirements and process, online osteopathic license renewal options, complaints/disciplinary actions, and areas of concern. A complete copy of Dr. Manthei's testimony is available as [Exhibit E](#), including an amendment on active instate license distribution ([Exhibit F](#)).
- Denise Selleck-Davis, Executive Director, Nevada Osteopathic Medical Association, Henderson, Nevada, gave background information on osteopathic physicians, and discussed drawbacks to those physicians practicing in Nevada. She explained that drawbacks include limited competition among the writers of professional liability insurance, a "virtual monopoly" by health insurers in southern Nevada, low payment schedules, unrecognized authority in insurance disputes, and long wait times for patients to receive treatment from physicians in osteopathic medicine that are considered "specialists and subspecialists." Concluding, Ms. Selleck-Davis discussed overcrowding in hospitals, nurse-to-patient staffing ratios, and excessive paperwork requirements. She asked the Committee promote legislation for improved recruitment packages of health service professionals to Nevada's rural areas. A complete copy of the testimony by Ms. Selleck-Davis is available as [Exhibit G](#).

PRESENTATIONS REGARDING CERTAIN HEALTH-ORIENTED EDUCATIONAL INSTITUTIONS IN NEVADA

- A. John A. McDonald, M.D., Ph.D., Vice President of Health Sciences, and Dean, School of Medicine, University of Nevada, Reno (UNR), described the challenges facing the School of Medicine with the creation of an integrated health sciences center in Clark County and a possible alignment with the Nevada Hospital Association. He said that the School of Medicine and the Nevada System of Higher Education are pressured to meet a "deadline in declaring our interest and intentions with respect to the Nevada Hospital Association." A complete copy of Dr. McDonald's testimony is available as [Exhibit H](#). Further, he discussed the projected retention rate at the School of Medicine ([Exhibit I](#)) and concluded with a slide presentation ([Exhibit J](#)) regarding the state of the School.

There were discussions regarding historical class sizes at the School of Medicine, obstacles in obtaining resources and funding, and training for programs addressing geriatric issues.

- B.** Carolyn B. Yucha, R.N., Ph.D., F.A.A.N., Professor and Dean, School of Nursing, Editor, Biological Research for Nursing, University of Nevada, Las Vegas (UNLV), provided an overview of the School of Nursing’s activities ([Exhibit K](#)). She discussed nursing curriculum, enrollment, and graduation figures. Dr. Yucha concluded by listing four goals of the School of Nursing, which include: (1) expanding enrollments; (2) building and supporting research; (3) developing an infrastructure to support School functions; and (4) increasing the visibility of the School locally and nationally.

There was a discussion regarding retaining pre-nursing students through the entire nursing program. Dr. Yucha responded that some students fail to qualify, while others change their minds.

- Senator Horsford said the School of Nursing should offer options to students that cannot meet the 3.0 grade point average requirement. He also commented the need for more efforts at the community college level to help students stay in school.

- C.** Patsy L. Ruchala, D.N.Sc., R.N., Professor and Director, Orvis School of Nursing, College of Human and Community Sciences, UNR, gave a status report of the Orvis School of Nursing ([Exhibit L](#)). Highlights from her presentation included:

1. An update on admissions, enrollments, and graduates;
2. An explanation of the “accelerated” BSN program;
3. A review of strategies to increase capacity and strengthen the quality of nursing education; and
4. A list of challenges and future needs.

PRESENTATIONS REGARDING CERTAIN HEALTH CARE PROFESSIONALS LICENSED BY THE STATE OF NEVADA

B. Board of Homeopathic Medical Examiners (NRS 630A.100)

(As directed by Chairman Washington, this agenda item was taken out of order.)

- Daniel F. Royal, D.O., H.M.D., J.D., President, Board of Homeopathic Medical Examiners, Las Vegas, and member of the Nevada Institution Review Board (NIRB), provided members with the Board’s mission statement and summary of regulations ([Exhibit M](#) and [Exhibit N](#)). Dr. Royal also shared information concerning the Board’s: (1) purpose; (2) intent; (3) organization; (4) accountability; (5) funding; (6) objectives; (7) results; and (8) outcome ([Exhibit O](#)).

PRESENTATIONS REGARDING CERTAIN HEALTH CARE PROFESSIONALS LICENSED BY THE STATE OF NEVADA

F. Board of Dental Examiners of Nevada (NRS 631.120)

(As directed by Chairman Washington, this agenda item was taken out of order.)

- Kathleen J. Kelly, Executive Director, Board of Dental Examiners of Nevada, Las Vegas, explained licensure statistics on dentists and dental hygienists ([Exhibit P](#) and [Exhibit Q](#)), including disciplinary cases and cases under investigation.

There was a discussion regarding a possible correlation between disciplinary cases and the licensure pathway available for individuals involved in disciplinary cases, specifically, the number dentists who passed Nevada's State exam and are investigated by the Board. Ms. Kelly said she would provide the Committee with an analysis of that type of data and licensure information from 1997 to 2001.

- Maury Astley, C.A.E., Executive Director, Nevada Dental Association, Las Vegas, discussed licensing and retention issues for dentists in Nevada. He also provided information regarding dental programs in rural areas, programs for senior citizens, emergency dental care, and preventative dentistry. A complete copy of Mr. Astley's testimony is available as [Exhibit R](#).

PRESENTATIONS REGARDING CERTAIN HEALTH-ORIENTED EDUCATIONAL INSTITUTIONS IN NEVADA

- D.** Patrick J. Ferrillo, Jr., D.D.S., Vice Provost, Division of Health Sciences, Dean, School of Dental Medicine, UNLV, submitted information on the new dental school ([Exhibit S](#)) and gave statistics on: (1) academic and student data (i.e., student demographics, minority status, and attrition rate); (2) patient care (i.e., Medicaid, Shadow Lane Clinic, patient visits, and a report on reasons why patients utilize services at the School of Dental Medicine); (3) community outreach (i.e., curriculum activities and community partnerships, the Crackdown on Cancer grant program; and (4) a business practice update ([Exhibit T](#)).

There was a discussion regarding the incidence of oral cancer among participants in the Crackdown on Cancer program. Dr. Ferrillo said he would provide additional information regarding demographic data of that group to the Committee.

- E.** Mitchell D. Forman, D.O., F.A.C.R., F.A.C.O.I., Professor and Dean, Touro University—Nevada, Henderson, said the University offers a College of Osteopathic Medicine for physician assistant studies and a College of Health and Human Services (including nursing, occupational therapy, and education programs). He gave a slide presentation ([Exhibit U](#)) regarding the University's location, class-size, facility description, partnerships, extramural grants, and areas of concern.

- Robin Nelson, D.N.Sc., R.N., Touro University-Nevada, Henderson, discussed details of the College of Health and Human Services.

There was a discussion regarding the University's concern that the Board of Nursing's regulations "may be outdated." Senator Horsford requested a review of nursing licensure requirements and asked Dr. Nelson to submit her concerns and solutions in writing for review by LCB staff.

PRESENTATIONS REGARDING CERTAIN HEALTH CARE PROFESSIONALS LICENSED BY THE STATE OF NEVADA

A. Board of Medical Examiners (NRS 630.003)

- The Honorable Drennan A. Clark, J.D., Executive Director/Special Counsel, Board of Medical Examiners, Reno, updated the Committee on 2005 licensure statistics, including the issuance of licenses ([Exhibit V](#)). He also provided data on the number disciplinary actions taken by the Board in 2005 ([Exhibit W](#)).
- Lawrence P. Matheis, Executive Director, Nevada State Medical Association, Las Vegas, noted his concern for the lack of medical specialists in Nevada, and a concern for residency programs. He suggested the development of a long-term strategy to address student recruitment, training issues, and the possible creation of a permanent health care work force commission.

There was a discussion regarding the issue of "home grown" medical and specialist physicians in Nevada. The Chair requested that Mr. Matheis submit a list of the Association's issues and prioritize them for the Committee's review.

D. State Board of Nursing (NRS 632.020)

- Chris Sansom, R.N., Director of Operations, State Board of Nursing, Reno, gave an overview of activities referenced in the Board's annual report ([Exhibit X](#)). She also shared statistics and information concerning licensure and regulation policies for nursing in Nevada. She discussed accomplishments as well as disciplinary policies and procedures of the Board ([Exhibit Y](#)). Concluding, Ms. Sansom explained various types of violations and the complaint process ([Exhibit Z](#)).

There was a discussion regarding the interstate nursing compact and Nevada's ability to retain its oversight authority of the compact. There was also a discussion regarding minority representation in the field of nursing in Nevada.

- Ellie Lopez-Bowlan, Family Nurse Practitioner, Vice President, Nevada Nursing Association, Reno, presented preliminary findings from HRSA's *2004 National Sample Survey of Registered Nurses* and requested that the Committee encourage Nevada's nursing educational institutions to actively recruit minorities, including men. ([Exhibit AA](#)).

- Lisa Black, M.S., R.N., Legislative Coordinator, and Health Policy Advisor, Nevada Nurses Association, Reno, gave a slide presentation ([Exhibit BB](#)) outlining the possible causes and solutions for a “shortage” in Nevada’s nurse workforce. A complete copy of Ms. Black’s testimony is available as [Exhibit CC](#).

E. State Board of Pharmacy (NRS 639.020)

- Fred Hillerby testified in place of Larry L. Pinson, Pharm.D., Executive Secretary, State Board of Pharmacy, Reno, and briefed members on Board statistics and information ([Exhibit DD](#)). His presentation included the composition, term limits, and Board membership background, including licensing statistics, complaints investigated by the Board, and areas of concern. Mr. Hillerby also discussed the creation of the Nevada Prescription Controlled Substance Abuse Prevention Task Force and gave details on its role and function in the community. Mr. Hillerby stated that the Task Force received national recognition for its work in reducing the abuse of prescription controlled substances by addicted patients and was mentioned in the U.S. House of Representatives at the President’s National Drug Control Strategy meeting in March 2004. He said federal funding is secure through September 2007 because of the Task Force’s success.

There was a discussion regarding pharmacies and pharmaceutical products, and the adequacy of the delivery system. Assemblywoman McClain commented on the importance of medication management.

G. Nevada State Board of Examiners for Administrators of Facilities for Long-Term Care (NRS 654.050)

- Mary Ellen Wilkinson, Vice-Chairperson, testified in place of Margaret A. McConnell, Chairperson, Administrator, Nevada State Board of Examiners for Administrators of Long-Term Care, Reno. Ms. Wilkinson gave a slide presentation ([Exhibit EE](#)), which included the following highlights:
 1. The mission, composition, term limits, funding, and mandated functions of the Board;
 2. National affiliations, responsibilities, and duties of the Board; and
 3. Licensure requirements and statistics for nursing and residential facility administrators, including concerns and recent accomplishments.

PUBLIC COMMENT

There were no comments from the public.

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 3:50 p.m.

Respectfully submitted,

Kennedy
Principal Research Secretary

Marsheilah D. Lyons
Senior Research Analyst

APPROVED BY:

Senator Maurice E. Washington, Chairman

Date: _____

LIST OF EXHIBITS

[Exhibit A](#) is the Meeting Notice and Agenda provided by Marsheilah D. Lyons, Senior Research Analyst, Research Division, Legislative Counsel Bureau (LCB), Carson City, Nevada.

[Exhibit B](#) is a two-page document titled “State Health Workforce Profiles—Highlights—Nevada,” given by Peter Burns, Corporate Director, EP&P Consulting, Inc., Phoenix, Arizona.

[Exhibit C](#) is a two-page chart titled “Health Insurance Coverage,” furnished by Peter Burns, Corporate Director, EP&P Consulting, Inc., Phoenix.

[Exhibit D](#) is a 35-slide Microsoft PowerPoint presentation titled “Nevada State Health Plan Discussion Outline for Initiating the Project,” given by Peter Burns, Corporate Director, EP&P Consulting, Inc., Phoenix.

[Exhibit E](#) is a six-page copy of testimony dated January 10, 2006, and titled “Testimony Before the Legislative Committee on health Care,” presented by Rudy R. Manthei, D.O., President, State Board of Osteopathic Medicine, Las Vegas, Nevada.

[Exhibit F](#) is a one-page document dated January 10, 2006, and subtitled “Amended Testimony-Active State License Distribution,” provided by Rudy R. Manthei, D.O., President, State Board of Osteopathic Medicine, Las Vegas.

[Exhibit G](#) is a three-page copy of testimony dated January 10, 2006, and titled “Testimony Before the Legislative Committee on Health Care,” given by Denise Selleck-Davis, Executive Director, Nevada Osteopathic Medical Association, Henderson, Nevada.

[Exhibit H](#) is an 11-page document dated September 15, 2005, and titled “Strategic Planning for the University of Nevada School of Medicine and the Nevada Health Sciences Center,” furnished by John A. McDonald, M.D., Ph.D., Vice President of Health Sciences, and Dean, University of Nevada School of Medicine, Reno, Nevada.

[Exhibit I](#) is a two-page document titled “University of Nevada School of Medicine Four Year Retention Rate,” presented by John A. McDonald, M.D., Ph.D., Vice President of Health Sciences, and Dean, University of Nevada School of Medicine, Reno.

[Exhibit J](#) is a 28-slide Microsoft PowerPoint presentation titled “University of Nevada School of Medicine, State of the School 2006,” prepared by John A. McDonald, M.D., Ph.D., Vice President of Health Sciences, and Dean, University of Nevada School of Medicine, Reno.

[Exhibit K](#) is a three-page document dated January 10, 2006, and titled “University of Nevada Las Vegas School of Nursing, Nevada Legislative Committee on Health Care,” offered by Carolyn B. Yucha, R.N., Ph.D., F.A.A.N., Professor and Dean, School of Nursing, Editor, Biological Research for Nursing, University of Nevada, Las Vegas (UNLV), Las Vegas.

[Exhibit L](#) is a 11-page document dated January 10, 2006, and titled “Testimony of Patsy L. Ruchala, DNSc, RN,” submitted by Patsy L. Ruchala, D.N.Sc., R.N., Professor and Director, Orvis School of Nursing, College of Human and Community Sciences, University of Nevada, Reno.

[Exhibit M](#) is a one-page document titled “Mission Statement,” provided by Daniel F. Royal, D.O., H.M.D., J.D., President, Board of Homeopathic Medical Examiners, Las Vegas, and member of the Nevada Institution Review Board (NIRB).

[Exhibit N](#) is a three-page document titled “State of Nevada NIRB Regulations Summary,” presented by Daniel F. Royal, D.O., H.M.D., J.D., President, Board of Homeopathic Medical Examiners, Las Vegas, and member, NIRB.

[Exhibit O](#) is a one-page document titled “Nevada Institutional Review Board,” submitted by Daniel F. Royal, D.O., H.M.D., J.D., President, Board of Homeopathic Medical Examiners, Las Vegas, and member, NIRB.

[Exhibit P](#) is a one-page document titled “Nevada State Board of Dental Examiners, Dentists,” prepared by Kathleen J. Kelly, Executive Director, Board of Dental Examiners of Nevada, Las Vegas.

[Exhibit Q](#) is a one-page document titled “Nevada State Board of Dental Examiners, Hygienists,” prepared by Kathleen J. Kelly, Executive Director, Board of Dental Examiners of Nevada, Las Vegas.

[Exhibit R](#) is an eight-page copy of testimony dated January 10, 2006, and titled “Legislative Committee on Health Care,” offered by Maury Astley, C.A.E., Executive Director, Nevada Dental Association, Las Vegas.

[Exhibit S](#) is a three-page document titled “UNLV School of Dental Medicine-Department of Professional Studies-Community Outreach 2002-2005,” provided by Patrick J. Ferrillo, Jr., D.D.S., Vice Provost, Division of Health Sciences, Dean, School of Dental Medicine, UNLV, Las Vegas.

[Exhibit T](#) is a four-page document dated January 10, 2006, and titled “UNLV School of Dental Medicine Facts and Figures,” provided by Patrick J. Ferrillo, Jr., D.D.S., Vice Provost, Division of Health Sciences, Dean, School of Dental Medicine, UNLV, Las Vegas.

[Exhibit U](#) is a 14-slide Microsoft PowerPoint presentation titled “Touro University Nevada College of Medicine, College of Health & Human Services,” presented by Mitchell D. Forman, D.O., F.A.C.R., F.A.C.O.I., Professor and Dean, Touro University Nevada, Henderson.

[Exhibit V](#) is a one-page document titled “2005 Licensure Numbers,” submitted by The Honorable Drennan A. Clark, J.D., Executive Director/Special Counsel, Board of Medical Examiners, Reno.

[Exhibit W](#) is a two-page document titled “Nevada State Board of Medical Examiners 2005 Year End Report,” prepared by The Honorable Drennan A. Clark, J.D., Executive Director/Special Counsel, Board of Medical Examiners, Reno.

[Exhibit X](#) is a 21-page publication titled “Nevada State Board of Nursing Annual Report 2004-2005,” offered by Chris Sansom, R.N., Director of Operations, State Board of Nursing, Reno.

[Exhibit Y](#) is a two-page copy of testimony dated January 10, 2006, and titled “Licensing and Regulation Information,” furnished by Chris Sansom, R.N., Director of Operations, State Board of Nursing, Reno.

[Exhibit Z](#) is a four-page document titled “Nevada State Board of Nursing Fact Sheet, What Happens If a Complaint is Filed Against You?” given by Chris Sansom, R.N., Director of Operations, State Board of Nursing, Reno.

[Exhibit AA](#) is a two-page document titled “The State of Minority Representation in Nursing,” furnished by Ellie Lopez-Bowlan, Family Nurse Practitioner, Vice President, Nevada Nursing Association, Reno.

[Exhibit BB](#) is a 20-slide Microsoft PowerPoint presentation titled “The State of the Nursing Profession in Nevada,” provided by Lisa Black, M.S., R.N., Legislative Coordinator, and Health Policy Advisor, Nevada Nurses Association, Reno.

[Exhibit CC](#) is a seven-page memorandum dated January 10, 2006, to the Nevada State Legislature Legislative Committee on Health Care regarding the state of the nursing profession in Nevada from Lisa Black, M.S., R.N., Legislative Coordinator, and Health Policy Advisor, Nevada Nurses Association, Reno.

[Exhibit DD](#) is a three-page document titled “Nevada State Board of Pharmacy Report to the Legislative Committee on Health Care,” submitted by Fred Hillerby, representative, State Board of Pharmacy, Reno.

[Exhibit EE](#) is a 23-slide Microsoft PowerPoint presentation titled “Nevada Board of Examiners for Long Term Care Administrators B.E.L.T.C.A.,” provided by Mary Ellen Wilkinson, Vice-Chairperson, Nevada State Board of Examiners for Administrators of Long-Term Care, Reno.

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