



**NEVADA LEGISLATURE  
SUBCOMMITTEE OF THE  
NEVADA SILVER HAIR ED LEGISLATIVE FORUM**  
*(Nevada Revised Statutes NRS 427A.320 through 427A.400)*

**SUMMARY MINUTES AND REPORT**

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The first meeting of the 2005-2006 Interim for the Nevada Silver Haired Legislative Forum was scheduled for September 9, 2005, at 10 a.m., in Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada, with videoconferencing to Room 3138, Legislative Building, 401 South Carson Street, Carson City, Nevada, and to Room 137, High Tech Center, Great Basin Community College, 1500 College Parkway, Elko, Nevada. Because a quorum was not present, the Forum members in attendance met as a subcommittee. This "Summary Minutes and Report" provides an overview of the presentations made to the subcommittee and other topics discussed by the subcommittee members. A copy of this "Summary Minutes and 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/72nd/Interim](http://www.leg.state.nv.us/72nd/Interim). In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (e-mail: [publications@lcb.state.nv.us](mailto:publications@lcb.state.nv.us); telephone: 775/684-6835).

**FORUM MEMBERS PRESENT IN CARSON CITY:**

Robert E. Erickson  
Ruth H. Hart  
Margaret Spooner

**FORUM MEMBERS PRESENT IN LAS VEGAS:**

Thelma Clark  
Verlia Davis Hoggard, President  
Robert McCune  
Robert Mohr  
William Renwick  
Mary D. Roberts  
Ronald E. Stoller

**FORUM MEMBERS ABSENT:**

Alice Adams  
Evelyn Cannestra  
Bebe Hoffman  
Ray B. Jones  
Donald Kirkwood  
Jane Maxfield  
Lucy Peres  
Herbert W. Perry  
Mimi Rodden  
Carolyn Stephens  
Harriet Trudell

**LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:**

Lona M. Domenici, Coordinator, Nevada Silver Haired Legislative Forum  
Gabby Anguiano, Senior Research Technician  
Melisa Aguon, Senior Research Secretary

President Davis Hoggard called the meeting to order at 10:13 a.m. and requested that roll be called. A quorum of the members was not present. The members in attendance met as a subcommittee and discussed the following items:

- President Davis Hoggard announced the appointment of the following Forum members by the Legislative Commission on September 7, 2005: Thelma Clark, Ray J. Jones, Donald Kirkwood, Robert McCune, Jane Maxfield, Mary Roberts, Mimi Rodden, Margaret Spooner, and Ronald E. Stoller.

Additionally, President Davis Hoggard indicated the Forum sends a special thank you to Rabbi Richard Schachet and Dee Wideen for their service with the Forum.

- The Forum considered the minutes of its June 17, 2005, meeting but took no action for approval due to the lack of a quorum.
- Robert E. Erickson, Forum Treasurer, presented the Treasurer's Report ([Exhibit B](#)) for the September 9, 2005, meeting and indicated two senators contributed funding to the Forum. President Davis Hoggard reported that Evelyn Cannestra, Harriet Trudell, and she met with Ron Lurie, Executive Vice President and General Manager for Arizona Charlie's Casino, seeking funding.

Additionally, President Davis Hoggard noted that the Forum does not have sufficient funding to conduct its six planned meetings through June 2006 and encouraged Forum members request donations from their legislators.

- Forum member Ruth H. Hart provided an overview of the Medicare Part D Prescription Drug Program. Mrs. Hart reported that she attended a partnership meeting of healthcare professionals to obtain ideas and feedback to determine the priorities and issues needed to make the Medicare Part D Prescription Drug Program successful from inception forward.

Continuing, Mrs. Hart reported that the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108-173) contains the most significant changes in Medicare's history. She explained senior citizens need to view Medicare as a partner in their wellness care, hospitalization, and doctors' visits. Medicare realizes there has been a gap in senior services relating to prescription drugs, and the new changes will emphasize wellness. Mrs. Hart announced that free screenings for diabetes and heart problems will be available, noting that millions of Americans have never been tested for diabetes.

Mrs. Hart explained effective January 1, 2006, Medicare will be offering insurance coverage for prescription drugs through its Part D Prescription Drug Program (PDP) plans. Because the various PDPs will not cover the same drugs, it is important that people compile a list of their current prescriptions—including the name of each prescription, the dose, and the cost—and compare that list to the prescription drugs

being offered through the PDP plans available in their area to determine which plan best meets their needs. Medicare will issue a drug formulary in the near future.

Medicare will be sending applications to those with limited income to apply for supplemental assistance for the prescription drugs through the Social Security Administration.

### **IMPORTANT DATES**

- **October 2005**—Medicare's new Handbook is expected to be issued.
- **November 15, 2005 through May 15, 2006**—The window for persons to enroll in one of the Medicare Part D PDPs.
- **December 31, 2005**—If participants enroll in a PDP by December 31, 2005, coverage will be effective January 1, 2006.
- **May 15, 2006**—This is the last day for persons to enroll. If they enroll in the program at a later date, there will be a penalty.

Mrs. Hart noted the State Health Insurance Assistance Program (SHIP) and certain community-based organizations will be offering free assistance. If individuals have questions, the toll-free telephone numbers to call are: 1-800-Medicare and/or 1-800-633-4227, which have assistance 24 hours per day, 7 days a week. The Web site is: [www.medicare.gov](http://www.medicare.gov).

Continuing, Mrs. Hart reported she has been in contact with the department managers of health plans for the City of Reno, City of Sparks, Washoe County, and the Washoe County School District. These governmental entities are working on determining the type of prescription drug programs they will be offering. By offering a prescription drug plan that is equal to or better than the Medicare Part D plan and encouraging their participants to remain in their plans, the local governmental entities can take advantage of a 28 percent federal subsidy.

Mrs. Hart reported that on September 1, 2005, the Board of the Public Employees' Benefits Program (PEBP) voted to encourage plan participants to remain in the PEBP benefits plan, which includes prescription drug coverage, and to apply for the 28 percent federal subsidy.

- Mary Liveratti, Deputy Director, Nevada's Department of Health and Human Services (DHHS), commented insurance companies must send letters informing individuals whether their current coverage is comparable to the new Medicare Part D Program. As long as persons have coverage that is comparable to Medicare Part D, they can join Medicare Part D at a later point and not be penalized. If people do not have prescription coverage, and they are eligible for Medicare Part D Prescription Drug

Program coverage and do not enroll, there will be an enrollment penalty. Subsidies are available to assist in paying for premiums, deductibles, and co-pays of people with low incomes, regardless of whether they are eligible for social security. Depending on a person's income, a participant may or may not have a coverage gap, which is referred to as the "donut hole." Currently, applications are being taken for people that are in the low-income bracket.

- Continuing, Mrs. Liveratti reported that DHHS has partnered with SHIP to provide information concerning Medicare Part D to those who are affected by the new program. A program called "Medicare Express" was developed this summer to bring information about Medicare Part D benefits to communities throughout Nevada. Trained counselors with SHIP will provide assistance to individuals with the plan selection and enrollment process. Mrs. Liveratti noted if individuals have questions regarding the SHIP, they are encouraged to call 1-800-307-4444. There is no specific Web site for "Medicare Express." The SHIP is listed on the Aging Services Division Web site ([www.nvaging.net](http://www.nvaging.net)). To obtain information, click on SHIP and scroll down. There is a section on Medicare Part D with a listing of all events that are scheduled for "Medicare Express."
- Mrs. Liveratti announced the number for the Senior Rx Program is 1-866-323-5953 and noted Nevada's Senior Rx Program provides prescription drug assistance to qualifying senior citizens 62 years of age and older. The DHHS is also implementing a new Disability Rx Program for individuals 61 years of age and under who have disabilities. This program will be effective January 1, 2006, and will mirror the income eligibility requirements of the Senior Rx Program requirements; however, applicants will need to have a physical or mental disability to qualify.
- Responding to a question from Mrs. Clark, Mrs. Liveratti stated that the Senior Rx Program would continue after January 1, 2006. There will be the traditional Senior Rx Program along with wrap-around coverage for the Medicare Part D Program. Mrs. Liveratti noted that DHHS will be giving presentations on the Senior Rx and Disability Rx Programs to the Task Force for a Fund for a Healthy Nevada and to the Nevada Legislature's Interim Finance Committee explaining the process that has been established to coordinate benefits between Nevada's Senior Rx and Disability Rx Programs and Medicare's Part D Prescription Drug Program. This coordination of benefits is also commonly referred to as the "wrap-around" benefits. The presentation will explain the amount DHHS will premiums and deductibles and the portion of Medicare Part D's "donut hole" it will cover. Once the approvals are received, the DHHS will publicize how the Senior Rx and the Disability Rx Programs will provide "wrap-around" coverage for Medicare Part D.

Mrs. Liveratti offered to provide additional information to the Forum through Ms. Domenici and noted she would coordinate a presentation to the Forum regarding the 2-1-1 system for Nevada at a future meeting date.

- Mr. McCune questioned whether Medicare Part D would have sufficient federal funding to administer the program in view of the current disasters. Mrs. Liveratti explained that individuals who are eligible for both Medicare and Medicaid, or dual-eligibles, will receive their prescriptions under Medicare. Dual-eligibles will continue to receive their prescriptions through Medicaid until December 31, 2005. Effective January 1, 2006, dual-eligibles will be enrolled automatically in a PDP or a Medicare Advantage Prescription Drug (MAPD) plan if they do not enroll voluntarily. Medicare does not cover all prescriptions, particularly some of the psychiatric drugs. In those instances, a dual-eligible person will receive his behavioral medicines from Medicaid.

Mrs. Liveratti noted Medicaid is a program that matches 50 percent federal dollars with 50 percent state dollars. When the Medicare Prescription Part D becomes effective on January 1, 2006, a phase down contribution of state funds, or “claw-back,” will be paid to the federal government for their Medicaid clients, which is based on a formula regarding the number of state Medicaid clients. Effective January 1, 2006, the states will start at 90 percent of the cost, which will be phased down until 2015, when the percentage will be reduced to 75 percent of the total cost. Because the Medicaid caseload continues to rise, as well as other costs, the states may not see a significant savings.

Further, Mrs. Liveratti noted DHHS will not know the full impact of Medicare Part D until the program is more fully implemented.

- Responding to a question from President Davis Hoggard, Mrs. Liveratti explained that Medicare Part D is for prescription drug coverage only. People eligible only for Medicaid will continue to receive benefits through that program. Those persons who are eligible for both Medicare and Medicaid, however, will receive their prescription drug coverage through Medicare Part D. Continuing, Ms. Liveratti noted that Medicaid will continue to provide coverage of certain prescription drugs not available through Medicare Part D.
- Mr. McCune thanked Mrs. Liveratti and observed individuals who are recipients of federal aid will look to the future rather “bleakly” as it relates to the federal financial commitment. Mrs. Liveratti noted a national commission will review the Medicaid program and make recommendations to President George W. Bush on potential program savings. She suggested the Forum track the activities of this commission.
- President Davis Hoggard asked Mrs. Liveratti if the Medicare Part D Prescription Drug Plan offers generic drugs. Mrs. Liveratti explained that when the drug formulary is released, individuals will be able to take their list of medications and compare the cost of those drugs under the different plans. If people have questions, SHIP counselors will be available to assist them. The Web site for Medicare is: <http://www.Medicare.gov>.

- Mrs. Hart observed that some individuals who attended the public meeting expressed frustration at their inability to obtain prescription drugs from Canada and the federal government's refusal to negotiate with Canadian pharmacies for the purchase of prescription drugs. Responding, Ms. Liveratti reported that the drug companies are buying their drugs for this plan.

President Davis Hoggard noted that two Canadian pharmacies have been approved by the State of Nevada to sell drugs. Mrs. Liveratti reported that it is the policy of the State Board of Pharmacy to visit Canadian pharmacies on site. Once the Canadian pharmacies meet certain assurances, the State Board of Pharmacy will vote on whether to license the pharmacies in Nevada. The names of the pharmacies selected to receive licensure will be given to the Governor's Office for Consumer Health Assistance, who will post the information on its website. Mrs. Liveratti suggested that the Forum request a presentation on this issue from the Office of Consumer Health Assistance. President Davis Hoggard noted that Forum members can obtain information regarding the Medicare Part D Program through Walgreen's and the AARP.

- Mr. McCune asked for information concerning the Las Vegas Senior Citizens' Advisory Board, noting it was his impression from news coverage of a recent visit of the Secretary of the U.S. Department of Health and Human Services that the Advisory Board is a point organization for U.S. Department of Health and Human Services. President Davis Hoggard said the Las Vegas Senior Citizens' Advisory Board is a city board that is concerned with senior citizen affairs that likely operates out of the Las Vegas Senior Citizens' Center.

Mr. McCune added that he had been following the Forum and noted concerns regarding the Forum's funding. He indicated that he has been talking with contacts in the community and suggested the Forum not give up due to its lack of funding. Mr. McCune pointed out that with the multitude of senior organizations that exist in Clark County, seniors often do not know where they should turn to voice their concerns.

Continuing, Mr. McCune suggested the Forum prepare an outline of the senior organizations and their missions and compare them with the Forum's mission. Mr. McCune asserted this exercise is important because the Forum is one of the only statutory organizations that can be forthcoming in achieving positive results on behalf of Nevada's elderly citizens. President Davis Hoggard agreed the forum should coordinate its efforts with other senior organizations. Mr. Erickson added that the Commission on Aging also has statutory authority. Mrs. Liveratti, previously identified, noted that Carol Sala is the Administrator for the Aging Services Division, DHHS, and Michael J. Willden, the Director of DHHS, chairs the Commission on Aging.

- Mrs. Liveratti reminded the Forum members that Nevada has a Ten-Year Strategic Plan for services for senior citizens, along with a Strategic Plan Accountability Committee

appointed by the Governor to ensure progress is made on the plan and updates are made as needed. The Plan is organized in two-year segments to correspond with the biennial legislative sessions for budget and legislative purposes. Ms. Liveratti recommended the Forum review the work being done by the committee. President Davis Hoggard suggested that Ms. Domenici contact the group and request that the Forum be added to its mailing list for agendas, notices, and minutes.

- Sally Crawford Ramm, Elder Rights Attorney, Office of Specialist for the Rights of Elderly Persons, Aging Services Division, DHHS, indicated the next Commission on Aging meeting will be at 1 p.m. on September 21, 2005, at the Grant Sawyer State Office Building, Las Vegas.
- President Davis Hoggard led a discussion regarding potential future meeting topics and suggested the Forum narrow its focus for the 2005-2006 Interim. President Davis Hoggard indicated the proposed schedule is in line with the bill draft request deadline and noted it is vital that the final report be completed and ready for distribution before the legislators' September and December 2006 deadlines for submitting bill draft requests. Additionally, President Davis Hoggard commented that the Forum members need the final report in hand when they approach their respective legislators to sponsor the Forum's recommendations.
- The members present tentatively agreed on the meeting dates set forth below and prioritized the following topics:
  1. Friday, November 4, 2005, at 10 a.m.
    - Impact of the Rising Costs of Public Utilities for Senior Citizens
  2. Friday, January 20, 2006, at 10 a.m.
    - Emergency Response Planning of Disasters Regarding the Elderly in Nursing Homes and a Report on the National Silver Haired Congress' Recommendations to Congress
  3. Friday March 3, 2006, at 10 a.m.
    - Exploitation of the Elderly Through Cyber Crimes, Fraudulent Schemes, and Identity Theft
  4. Friday, April 7, 2006, at 10 a.m.
    - Geriatric Medicine and Prescription Drug Labeling
  5. Friday, May 5, 2006, at 10 a.m.
    - Premium Tax on Annuities
  6. Friday, June 2, 2006, at 10 a.m.
    - Work Session and Preparation of the Final Bulletin



The November 2005 through May 2006 meetings will be held at the Grant Sawyer State Office Building, Room 4401, 555 East Washington Avenue, Las Vegas, Nevada, and will be videoconferenced to the Legislative Building, Room 3138, 401 South Carson Street, Carson City, Nevada, and to the Great Basin Community College, 1500 College Parkway, Elko, Nevada.

The June 2006 meeting will be held at the Legislative Building, Room 3138, 401 South Carson Street, Carson City, and will be videoconferenced to the Grant Sawyer State Office Building, Room 4401, 555 East Washington Avenue, Las Vegas, and to the Great Basin Community College, 1500 College Parkway in Elko. The room numbers for the Great Basin Community College will be announced at a later date.

#### **PUBLIC COMMENT**

There was no public comment.

#### **ADJOURNMENT**

There being no further business to come before the Forum, the meeting was adjourned at 12:40 p.m.

Respectfully submitted,

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Lona M. Domenici, Coordinator

#### **APPROVED BY:**

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Harriet Trudell, Secretary

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

#### **APPROVED BY:**

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Verlia Davis Hoggard, President

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

## LIST OF EXHIBITS

[Exhibit A](#) is the “Meeting Notice and Agenda” provided by Lona M. Domenici, Coordinator, Nevada Silver Haired Legislative Forum, Research Division, Legislative Counsel Bureau, (LCB), Carson City, Nevada.

[Exhibit B](#) is the Treasurer’s Report, Nevada Silver Haired Legislative Forum, dated September 9, 2005, provided by Robert E. Erickson, Treasurer, Nevada Silver Haired Legislative Forum, Carson City, Nevada.

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