



NEVADA LEGISLATURE

NEVADA SILVER HAired LEGISLATIVE FORUM

(Nevada Revised Statutes 427A.320 through 427A.400)

SUMMARY MINUTES AND ACTION REPORT

The first meeting of the Nevada Silver Haired Legislative Forum (NSHLF) was held on Tuesday, August 25, 2015, at 10 a.m. in Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. The meeting was videoconference to Room 3138 of the Legislative Building, 401 South Carson Street, Carson City, Nevada, and Room 137, High Tech Center, Great Basin College, 1500 College Parkway, Elko, 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>. In addition, copies of the audio-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:

Herbert E. Randall, Ed.D., President, NSHLF and National Silver Haired Congress (NSHC), Silver Senator
Fran Almaraz, Senate District No. 21
Barbara Altman, Senate District No. 9
Leroy Aragon, M.S.W., NSHC, Silver Representative
Clo Banks, Senate District No. 3
Joann M. Bongiorno, Senate District No. 7
Vicki L. Cameron, Senate District No. 5
James Downer, R.T.R.P., Senate District No. 20
Verlia Davis Hoggard, Senate District No. 4
Rick Kuhlmeier, Senate District No. 2
Winston J. Lawson, Senate District No. 1
Patsy Metler, Senate District No. 18
Mary D. Roberts, NSHC, Silver Representative
Stephanie L. Rose, Senate District No. 11
Betty Rumford, Senate District No. 6
Russ Schoenbeck, NSHC, Silver Representative

Lonnie Strait, NSHC, Silver Senator
Clare Tobler, Senate District No. 12
Judith A. Vandever, NSHC, Silver Representative

COMMITTEE MEMBERS PRESENT IN CARSON CITY:

Reba June Burton, Senate District No. 15
John Paul (Jack) Ginter, Jr., Senate District No. 14
John A. Yacenda, Ph.D., M.P.H., P.A.H.M., Senate District No. 16

COMMITTEE MEMBER PRESENT IN ELKO:

Ray B. Jones, Senate District No. 19

COMMITTEE MEMBERS ABSENT:

Evelyn A. Cannestra, M.S.W., Senate District No. 8
Harriet Trudell, Senate District No. 10

LEGISLATIVE COUNSEL BUREAU STAFF (LCB) PRESENT:

Mary Shope, Coordinator, NSHLF, Administrative Division, Las Vegas Office
Bryan Fernley, Senior Principal Deputy Legislative Counsel, Legal Division

CALL TO ORDER AND OPENING REMARKS

- Herbert E. Randall, Ed.D., President, NSHLF, called the meeting to order. He welcomed guests and members of the public. In addition, President Randall welcomed the new Forum members: Fran Almaraz, Leroy Aragon, Vicki L. Cameron, Winston J. Lawson, Mary D. Roberts, and Judith A. Vandever.

President Randall remembered Ms. Lucy Peres, Forum member, with a moment of silence.

- Ms. Shope conducted the roll call and a quorum was determined to be present.

PUBLIC COMMENT

- President Randall called for public comment; however, no testimony was presented.

APPROVAL OF MINUTES OF THE MEETING HELD ON NOVEMBER 18, 2014, IN LAS VEGAS, NEVADA

- President Randall presented the minutes of the November 18, 2014, meeting for review and approval.

The NSHLF APPROVED THE FOLLOWING ACTION:

VERLIA DAVIS HOGGARD MADE A MOTION TO APPROVE THE MINUTES OF THE NOVEMBER 18, 2014, MEETING HELD IN LAS VEGAS, NEVADA. THE MOTION WAS SECONDED BY CLO BANKS AND PASSED UNANIMOUSLY.

DISCUSSION AND APPROVAL OF THE TREASURER'S REPORT, WHICH INCLUDES THE LATEST AVAILABLE BUDGET REPORTS, APPROVAL OF RECENT EXPENDITURES, AND PROPOSED EXPENDITURES

- Lonnie Strait, Treasurer, NSHLF, reviewed the budget and expenditures of the NSHLF, as of June 30, 2015 ([Exhibit B](#)). Forum members discussed travel and per diem expenditures, which included Older Americans Day at the Legislature and Governor Sandoval's ceremonial signing of Assembly Bill 28 (Chapter 102, *Statutes of Nevada 2015*).

The NSHLF APPROVED THE FOLLOWING ACTION:

BARBARA ALTMAN MADE A MOTION TO APPROVE THE TREASURER'S REPORT AND EXPENDITURES ENDING JUNE 30, 2015. THE MOTION WAS SECONDED BY JAMES DOWNER AND PASSED UNANIMOUSLY.

OVERVIEW OF NEVADA’S OPEN MEETING LAW—*NEVADA REVISED STATUTES* CHAPTER 241 (“MEETINGS OF STATE AND LOCAL AGENCIES”)

- Bryan Fernley, previously identified, provided the Forum with an overview of Nevada’s Open Meeting Law (OML). ([Exhibit C](#)) He stated the purpose, actions, and deliberations must be conducted openly before a public body where there is a meeting, a quorum of members, and deliberation. He mentioned that the discussion and subsequent actions must occur where the public can observe and offer comments as part of the discussion and actions. The OML covers serial communications and gatherings when a quorum of members is involved. This includes e-mailing, texting, and talking to Forum members. Mr. Fernley stated that deliberation means to examine, weigh, reflect, or exchange facts, and provide reason for actions. The exception to the OML is a social function, whereas the purpose of the gathering is not deliberation. He stated the Office of the Attorney General (AG) enforces the complaints concerning the OML. If the AG’s decision indicates there has been a violation, the action and/or subject in question are void.

The Forum inquired about the Nevada delegation of the NSHC and whether its ex officio members of the NSHLF would be subject to the OML provisions. Mr. Fernley indicated the Nevada delegation of the NSHC would not be a quorum with only six members and would not be subject to the OML. However, if the NSHC involved more Forum members in its communications and discussions, then it would be a violation. The Forum inquired about talking to other members as a violation. Mr. Fernley stated members can talk to other members but suggested the members try not to create serial conversations, which would be in violation. When the ex officio status of the NSHC was discussed further, Mr. Fernley mentioned any changes of status and privileges of the Forum would require statutory language changes. Forum members suggested future discussions regarding the NSHC and ex officio status of the Forum. In addition, Forum members suggested public comment guidelines be listed on future agendas.

DISCUSSION AND REVIEW OF THE 78TH SESSION OF THE NEVADA LEGISLATURE

- President Randall provided a summary of the 78th Session of the Nevada Legislature. He shared the history of the Forum’s first bill draft request (BDR), A.B. 28, which strengthens the State’s Long-Term Care Ombudsman program. ([Exhibit D](#)) He also noted Senate Bill 177 (Chapter 37, *Statutes of Nevada 2015*), known as the “Caregivers Act,” was passed by the Legislature.
- Ms. Shope, Coordinator, NSHLF, provided an overview of legislation passed during the 2015 Legislative Session, which affected senior citizens:
 - A.B. 28 (State Long-Term Care Ombudsman program);
 - A.B.73 (funds for energy conservation and assistance for seniors),
 - A.B. 164 (access to investigational drugs),

- A.B. 242 (Subcommittee to Conduct a Study of Postacute Care),
 - A.B. 292 (telehealth provisions),
 - A.B. 325 (guardianship reform),
 - A.B. 491 (Northern Nevada Veterans Home project),
 - S.B. 6 (delivery of patient-centered home care),
 - S.B. 60 (AG's Office of Military Legal Assistance),
 - S.B. 177 ("Caregivers Act"),
 - S.B. 196 (Stroke Registry), and
 - S.B. 262 (guardianship reform).
- Ms. Shope provided a handout for the 2015 meeting dates for the Commission to Study the Creation and Administration of Guardianships. ([Exhibit E](#))

STATUS REPORT ON THE NATIONAL SILVER HAired CONGRESS AND NATIONAL COUNCIL OF SILVER HAired LEGISLATORS (NCSHL)

- President Randall reported on the upcoming NSHC's 17th Annual Conference, to be held in Las Vegas, September 2015.
- Ms. Davis Hoggard stated the NCSHL would not have an annual meeting this year.

ELECTION OF FORUM OFFICERS FOR 2015-2016 TERM

- President Randall opened the floor for nominations for the Office of President. Mr. Jones nominated Dr. Herbert Randall. However, Dr. Randall asked that his nomination be withdrawn. Ms. Metler nominated Mr. Tobler. Ms. Banks seconded the motion. Likewise, Mr. Tobler asked that his nomination be withdrawn.

The NSHLF **APPROVED THE FOLLOWING ACTION:**

VERLIA DAVIS HOGGARD NOMINATED JOHN A. YACENDA FOR PRESIDENT. REBA JUNE BURTON SECONDED THE MOTION. WITH NOMINATIONS CLOSED, JOHN A. YACENDA WAS ELECTED PRESIDENT.

- President Randall opened the floor for nominations for the Office of Vice President.

The NSHLF **APPROVED THE FOLLOWING ACTION:**

JAMES DOWNER MOVED TO NOMINATE CLARE TOBLER FOR VICE PRESIDENT. BARBARA ALTMAN SECONDED THE NOMINATION.

VICKI L. CAMERON MOVED TO NOMINATE VERLIA DAVIS HOGGARD FOR VICE PRESIDENT. JOANN M. BONGIORNO SECONDED THE NOMINATION. WITH NOMINATIONS CLOSED, THE FORUM VOTED CLARE TOBLER AS VICE PRESIDENT.

- President Randall opened the floor for nominations for the Office of Secretary.

The NSHLF **APPROVED THE FOLLOWING ACTION:**

CLARE TOBLER MOVED TO NOMINATE CLO BANKS FOR SECRETARY. LEROY ARAGON SECONDED THE NOMINATION. WITH NOMINATIONS CLOSED, THE FORUM VOTED CLO BANKS AS SECRETARY.

- President Randall opened the floor for nominations for the Office of Treasurer.

The NSHLF **APPROVED THE FOLLOWING ACTION:**

LONNIE STRAIT MOVED TO NOMINATE VICKI L. CAMERON FOR THE TREASURER. LEROY ARAGON SECONDED THE NOMINATION. WITH NOMINATIONS CLOSED, THE FORUM VOTED VICKI L. CAMERON AS TREASURER.

DISCUSSION OF FUTURE AGENDA ITEMS AND POSSIBLE MEETING DATES

- Past President Randall opened the discussion on future agenda items, meeting dates, and expenditures. Members of the Forum expressed interest in presentations on the following: right-to-die and death with dignity, elder abuse, financial exploitation of seniors, and an overview of issues affecting seniors by the Aging and Disability Services Division, Department of Health and Human Services. As before, Ms. Cameron requested that NRS 427A be discussed at future meetings.
- Ms. Shope provided the following information to the members:
 - A letter from Ms. Korbolic, Nevada's State Long-Term Care Ombudsman, regarding educational programs for caregivers ([Exhibit F](#));
 - A copy of A.B. 495 (Chapter 510, *Statutes of Nevada 2015*), which outlines BDR deadlines for the 2016 Legislative Session ([Exhibit G](#));
 - A proclamation sponsored by Governor Sandoval for Older Americans Month in Nevada, May 2015 ([Exhibit H](#));
 - Meeting dates for the Commission to Study the Creation and Administration of Guardianships ([Exhibit E](#)); and
 - The Nevada Broadcasters Association (NVBA) Special Honor Award bestowed to Robert D. Fisher, former President, NVBA. ([Exhibit I](#))
- In recognition of Past President Randall's service to the Forum, Vice President Tobler presented Dr. Randall with a plaque on behalf of the NSHLF.

- Dr. Yacenda stated he looks forward to serving the Forum as President.
- Ms. Bongiorno acknowledged Mr. Fisher's contributions to the success of Nevada's Silver Alert Program, which was created through legislation sponsored by the Forum. On behalf of the NSHLF, Past President Randall recognized Mr. Fisher's advocacy and contributions to the Forum and the State.
- Ms. Cameron shared her enthusiasm for her appointment and stated she looks forward to serving on the Forum.
- Mr. Tobler, Vice President shared his enthusiasm for his reappointment.

PUBLIC COMMENT

- Past President Randall called for public comment; however, no testimony was presented.

ADJOURNMENT

There being no further business to come before the Forum, Past President Randall entertained a motion to adjourn.

The NSHLF **APPROVED THE FOLLOWING ACTION:**

VERLIA DAVIS HOGGARD MOVED TO ADJOURN THE MEETING. THE MOTION WAS SECONDED BY VICKI L. CAMERON AND PASSED UNANIMOUSLY.

Past President Randall adjourned the meeting at 11:47 a.m.

Respectfully submitted,

Mary Shope, Coordinator
Nevada Silver Haired Legislative Forum

APPROVED BY:

Herbert E. Randall, Ed.D., Past President
Nevada Silver Haired Legislative Forum

Date: _____

APPROVED BY:

Clo Banks, Secretary
Nevada Silver Haired Legislative Forum

Date: _____

LIST OF EXHIBITS

Exhibit A is the “Meeting Notice and Agenda” for August 25, 2015, provided by Mary Shope, Coordinator, Nevada Silver Haired Legislative Forum (NSHLF), Administrative Division, Legislative Counsel Bureau (LCB).

Exhibit B is a collection of documents titled “Treasurer’s Report ending Fiscal Year 2014-2015, Periods Ending 06/30/2015; the Budget Report for Fiscal: 2014-2015 Period Ending 06/30/2015; and the Budget Report For Fiscal: 2015-2016 Period Ending 07/31/2015”; provided by Mary Shope, Coordinator, NSHLF, Administrative Division, LCB.

Exhibit C is the document titled “Open Meeting Law (Chapter 241 [“Meetings of State and Local Agencies”] of NRS), provided by Bryan Fernley, Senior Principal Deputy Legislative Counsel, Legal, LCB.

Exhibit D is the photograph of Governor Sandoval’s ceremonial signing of Assembly Bill 28 on Tuesday, May 19, 2015, provided by Sholeh Moll, photographer, Nevada’s Department of Transportation.

Exhibit E is the 2015 Commission Meeting Dates for the Commission to Study the Creation and Administration of Guardianships, provided by Mary Shope, Coordinator, NSHLF, Administrative Division, LCB.

Exhibit F is the letter from Heather Korbolic, Nevada State Long-Term Care Ombudsman, Aging and Disability Services Division, Department of Health and Human Services, dated June 24, 2015, provided by Mary Shope, Coordinator, NSHLF, Administrative Division, LCB.

Exhibit G is a copy of Assembly Bill No. 495 (Chapter 510, *Statutes of Nevada 2015*), provided by Mary Shope, Coordinator, NSHLF, Administrative Division, LCB.

Exhibit H is a proclamation by Governor Sandoval, dated May 2015, for Older Americans Month in Nevada, provided by Mary Shope, Coordinator, NSHLF, Administrative. Division, LCB.

Exhibit I is a copy of Nevada Broadcasters Association webpage, “Special Honors – Robert D. Fisher, Nevada Broadcasters Association, 20th Hall of Fame Gala,” provided by Mary Shope, Coordinator, NSHLF, Administrative 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, 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.