



NEVADA LEGISLATURE

NEVADA SILVER HAired LEGISLATIVE FORUM

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

SUMMARY MINUTES AND ACTION REPORT

The second meeting of the Nevada Silver Haired Legislative Forum (NSHLF) was held on Tuesday, November 17, 2015, at 9 a.m. in Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. The meeting was videoconferenced to Room 3138 of the Legislative Building, 401 South Carson Street, Carson City, Nevada, and Room 102, McMullen Hall, 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:

John A. Yacenda, Ph.D., M.P.H., P.A.H.M., President, Senate District No. 16
Fran Almaraz, Senate District No. 21
Barbara Altman, Senate District No. 9
Leroy Aragon, M.S.W., NV Delegation, National Silver Haired Congress (NSHC),
Silver Representative
Clo Banks, Senate District No. 3
Joann M. Bongiorno, Senate District No. 7
Vicki L. Cameron, Senate District No. 5
Evelyn A. Cannestra, M.S.W., Senate District No. 8
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
Herbert E. Randall, Ed.D., NV Delegation, NSHC, Silver Senator
Mary D. Roberts, NV Delegation, NSHC, Silver Representative
Stephanie L. Rose, Senate District No. 11
Betty Rumford, Senate District No. 6
Russ Schoenbeck, NV Delegation, NSHC, Silver Representative

Lonnie Strait, NV Delegation, NSHC, Silver Senator
Clare Tobler, Senate District No. 12

COMMITTEE MEMBERS PRESENT IN CARSON CITY:

Reba June Burton, Senate District No. 15

COMMITTEE MEMBER PRESENT IN ELKO:

None present.

COMMITTEE MEMBERS ABSENT:

John Paul (Jack) Ginter, Jr., Senate District No. 14
Ray B. Jones, Senate District No. 19
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

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. He welcomed Assemblyman Glenn E. Trowbridge, Assembly District No. 37, and members of the public.

AGENDA ITEM II—PUBLIC COMMENT

- President Yacenda called for public comment.
- Shawn McGivney, M.D., R.F.A., President, Residential Care Home Community Alliance of Nevada, shared his concerns about past and proposed legislative and regulatory changes that jeopardize residential care homes. He expressed concern about the decline of the number of residential care beds in Nevada due to financial reimbursement schedules, fire code provisions, and ever-changing wage and labor law provisions. He stated residential care homes, which are community based, are solutions for long-term care patients. Dr. McGivney encouraged the Forum to evaluate Medicare and Medicaid reimbursement schedules to facilities and make revisions based on appropriate level of care ([Exhibit B](#)).
- Teresa Brushfield, Las Vegas resident and residential care operator, shared her concerns regarding supportive living arrangement operations. She stated regulation inequities affect reimbursement for long-term care facilities and requested assistance changing regulations.

AGENDA ITEM VI—CAREGIVING OPTIONS FOR ELDERS

- Kamala Kuhn, Washoe County resident, shared her experiences and concerns regarding her parents' health care experiences. In her opinion, the caregivers exploited her parents. Ms. Kuhn reported these events to the appropriate authority, but unfortunately had little, if no resolution. Ms. Kuhn requested the Forum protect seniors by addressing the financial exploitation of seniors.
- The Forum expressed its understanding and support. Assemblyman Trowbridge highlighted the Commission to Study the Administration of Guardianships in Nevada's Courts and suggested Forum members continue to monitor the Commission's activities and offer recommendations for statewide policies and procedures.

AGENDA ITEM V—OVERVIEW OF FINANCIAL EXPLOITATION OF SENIORS

- Laura M. Tucker, Deputy Attorney General, provided the Forum with an overview of the Bureau of Consumer Protection (BCP), Office of the Attorney General. The BCP receives complaints about financial exploitation of senior citizens. Ms. Tucker mentioned situations involving mortgage practices, Internal Revenue Service scams, grandparent or relative scams, and sweepstakes that tend to exploit residents. She

indicated education is the best protection. In addition, she distributed consumer brochures (Exhibit C and [Exhibit D](#)).

- John R. McGlamery, Senior Deputy Attorney General, shared his concerns regarding deceptive trade practices that target seniors. He encouraged consumers to be aware of false advertising statements, telephone marketing, door-to-door solicitations, and misleading contract provisions. Mr. McGlamery advised the members to report questionable situations. He also shared some current scams that involved solar energy agents.
- Carrie L. Embree, Chief, Elder Rights Unit, Aging and Disability Services Division, Department of Health and Human Services, provided an overview of elder protective services (EPS). She noted EPS receives and investigates reports of older person's exploitation. The Division utilizes social workers to investigate the complaint, and EPS will refer cases to law enforcement for further investigation and prosecution. She mentioned recent legislative reporting included abandonment, emotional abuse, and sexual abuse. Ms. Embree provided statistics regarding allegations of elder abuse. She stated most of the elder abuse occurred within the person's home, with the person of interest being the elder's child. She stated EPS provides services such as emergency funding for temporary displacement, home assistance services, geriatric psychological evaluation, and community resources. Forum members were concerned about caseload levels, but Ms. Embree stated EPS complies with investigation within three days, and there are no backlogs ([Exhibit E](#)).

AGENDA ITEM III—APPROVAL OF MINUTES OF THE MEETING HELD ON AUGUST 25, 2015, IN LAS VEGAS, NEVADA

- President Yacenda informed the members that the minutes of the August 25, 2015, meeting would be mailed to the members for review and approval.

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

- Vicki L. Cameron, Treasurer, NSHLF, reviewed the budget and expenditures of the NSHLF, as of October 31, 2015. She explained the details of the Forum's allocations, listed as \$6,207 ([Exhibit F](#)).

The NSHLF APPROVED THE FOLLOWING ACTION:

RICK KUHLMAY MADE A MOTION TO APPROVE THE TREASURER'S REPORT AND EXPENDITURES ENDING OCTOBER 31, 2015. THE MOTION WAS SECONDED BY EVELYN A. CANNESTRA AND PASSED UNANIMOUSLY.

AGENDA ITEM VII—DISCUSSION OF NEVADA SILVER HAired LEGISLATIVE FORUM INTERIM COMMITTEE GOALS AND OBJECTIVES

- President Yacenda stated the Forum will have opportunities to participate in the upcoming legislative session, but he deferred further discussion to the Forum's next meeting.

AGENDA ITEM VIII —STATUS REPORT ON THE NEVADA DELEGATION OF THE NATIONAL SILVER HAired CONGRESS

- Herbert E. Randall, Ed.D., President, Nevada Delegation of the NSHC reported on the success of the NSHC's 17th Annual Conference hosted in Las Vegas in September 2015. He stated Nevada's United States Congressional Members participated in the Conference. Dr. Randall mentioned the next Annual Conference will be held in August 2016; he encouraged members to reference its webpage for more details-NATLSHC.org.

AGENDA ITEM IX—DISCUSSION OF FUTURE AGENDA ITEMS AND POSSIBLE MEETING DATES

- President Yacenda opened the discussion on future agenda items, meeting dates, and expenditures. He encouraged Forum members to consider legislation to "stand in the gap" and be advocates to protect senior victims. Members expressed interest in presentations on the : financial exploitation of seniors, senior housing, senior malnutrition, homeless veterans and services, medication and pharmacy regulations, grandparents raising grandchildren, Right-To-Die and Death With Dignity, predatory financial lending, the Nevada Delegation of the NSHC, and legal services and resources for seniors.

President Yacenda encouraged Forum members to represent their senatorial districts. He asked members to engage with the community and solicit their ideas. Ms. Davis Hoggard extended an open invitation to Legislators and the public at Forum meetings.

AGENDA ITEM X —PUBLIC COMMENT

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

ADJOURNMENT

There being no further business to come before the Forum, President Yacenda adjourned the meeting at 12:15 p.m.

Respectfully submitted,

Mary Shope, Coordinator
Nevada Silver Haired Legislative Forum

APPROVED BY:

John A. Yacenda, Ph.D., M.P.H., P.A.H.M., 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 November 17, 2015, provided by Mary Shope, Coordinator, Nevada Silver Haired Legislative Forum (NSHLF), Administrative Division, Legislative Counsel Bureau (LCB).

Exhibit B is the collection of documents titled “AHONN & RCHCAN-Residential Care Home Industry Statement,” “Residential Care Home (RCH) Industry Statement-AHONN & RCHCAN,” and “Long-Term Care Cost and Services Comparison, State by State:Assisted Living Regulations, NRS Chapter 278 – Planning and Zoning, Group Homes, and Danville Services Corporation webpage,” provided by Shawn McGivney, MD, RFA.

Exhibit C is the document titled “State of Nevada Office of the Attorney General, Bureau of Consumer Protection,” provided by Laura M. Tucker, Deputy Attorney General, and John R. McGlamery, Senior Deputy Attorney General, Bureau of Consumer Protection (BCP), Office of the Attorney General (AG).

Exhibit D is a collection of consumer protection brochures titled “Money Smart for Older Adults,” “Taking Charge–What To Do If Your Identity Is Stolen,” “A Consumer’s Guide to Sweepstakes and Lotteries,” and “GSA Federal Citizen Information Center–Consumer Action Handbook” provided by Laura M. Tucker, Deputy Attorney General, and John R. McGlamery, Senior Deputy Attorney General, BCP, Office of the AG.

Exhibit E is the document titled “Elder Protective Services State Fiscal Year 2015,” provided by Carrie L. Embree, Chief, Elder Rights Unit, Aging and Disability Services Division, Department of Health and Human Services.

Exhibit F is the a collection of documents titled “Treasurer’s Report ending Fiscal Year 2015–2016, Period Ending 10/31/2015-Memorandum” and the “Budget Report for Fiscal: 2015–2016 Period Ending 10/31/2015,” 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.