



NEVADA LEGISLATURE
NEVADA SILVER HAIRED LEGISLATIVE FORUM
(*Nevada Revised Statutes 427A.320 through 427A.400*)

SUMMARY MINUTES AND ACTION REPORT

The sixth meeting of the Nevada Silver Haired Legislative Forum for the 2003-2004 interim was held on July 12, 2004, at 10 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. 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/Session/72nd2003/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; telephone: 775/684-6835).

COMMITTEE MEMBERS PRESENT IN LAS VEGAS:

Thelma Clark, President
Alice Adams
Evelyn Cannestra
Scotty Gosh
Bebe Hoffman
Robert Mohr
Mary D. Roberts
Mimi Rodden
Ronald E. Stoller

COMMITTEE MEMBERS PRESENT IN CARSON CITY:

Robert E. Erickson
Donald Kirkwood
Jane Maxfield
Margaret Spooner

COMMITTEE MEMBERS ABSENT:

Don Fuller
Virgil Getto
Verlia Hoggard
Herbert Perry
Carolyn Stephens
Patricia Wilson

OTHER LEGISLATORS PRESENT:

Senator Raymond C. Shaffer

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:

Lona M. Domenici, Research Analyst, Administrative Division, Legislative Counsel Bureau (LCB)
Kim Marsh Guinasso, Principal Deputy Legislative Counsel Bureau, Legal Division, Legislative
Counsel Bureau (LCB)
Roxanne Duer, Principal Research Secretary, Research Division, Legislative Counsel Bureau (LCB)

CALL TO ORDER, OPENING REMARKS

Thelma Clark, Forum President, called the meeting to order at 10:01 a.m., and directed Lona M. Domenici, Research Analyst, Administrative Division of the Legislative Counsel Bureau, to call roll.

APPROVAL OF MINUTES OF THE JUNE 4, 2004, MEETING OF THE NEVADA SILVER HAIRED LEGISLATIVE FORUM

- The Committee **APPROVED THE FOLLOWING ACTION:**

DONALD KIRKWOOD MOVED FOR APPROVAL OF THE MINUTES OF THE NEVADA SILVER HAIRED LEGISLATIVE FORUM'S JUNE 4, 2004, MEETING WITH A CORRECTION TO PAGE 4 STATING, "ALICE ADAMS ASKED 'WHO ENSURES THAT HOMELESS SENIORS TAKE THEIR MEDICATIONS'." MIMI RODDEN SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.

TREASURER'S REPORT OF THE JUNE 4, 2004, AND JULY 12, 2004, MEETINGS OF THE NEVADA SILVER HAIRED LEGISLATIVE FORUM

- Because Herbert W. Perry, Forum Treasurer, was absent, President Clark requested Lona Domenici present the Treasurer's reports for the June 4, 2004, and July 12, 2004, meetings. ([Exhibit B](#)).
- The Committee **APPROVED THE FOLLOWING ACTION:**

MIMI RODDEN MOVED FOR APPROVAL OF THE TREASURER'S REPORTS OF THE NEVADA SILVER HAIRED LEGISLATIVE FORUM'S JUNE 4, 2004, AND JULY 12, 2004, MEETINGS. THE MOTION WAS SECONDED BY JANE MAXFIELD, WHICH CARRIED UNANIMOUSLY.

DISCUSSION OF THE FORUM'S FUNDING PROPOSAL FOR THE NEXT LEGISLATIVE COMMISSION MEETING

- President Clark discussed the Forum's funding proposal, which was submitted at the Legislative Commission's May 24, 2004, meeting.
- Mimi Rodden noted the comments of Senator Randolph J. Townsend, Chair, Legislative Commission, regarding the Forum's funding proposal, and suggested the proposal indicate the tasks to be accomplished, along with the necessary funding. Additionally, Ms. Rodden concurred with President Clark that Forum members should accompany President Clark when she presents the funding proposal at the next Legislative Commission meeting.
- Mr. Erickson suggested staff notify the Forum members when the next Legislative Commission meeting is scheduled, and requested information regarding the Forum's funding proposal.

PUBLIC COMMENT

There was no public comment.

NEVADA LEGISLATURE

NEVADA SILVER HAired LEGISLATIVE FORUM

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

July 12, 2004

This following "Work Session Document" has been compiled by staff of the Nevada Silver Haired Legislative Forum (*Nevada Revised Statutes* 427A.320). It is designed to assist the Forum members in making decisions concerning recommendations to be forwarded to the Legislative Commission and to the Governor.

The document contains recommendations within the scope of the Forum that were presented in hearings and submitted in writing for the Forum's consideration. The possible actions listed in the document do not necessarily have the support or opposition of the Forum. Rather, these possible actions simply are compiled and organized so the members may review them to decide if they should be adopted, changed, rejected, or further considered. Sponsors of recommendations may be referenced in parentheses.

PROPOSED BILL DRAFT REQUESTS

AUTHORIZATION FOR THE FORUM TO REQUEST THE PREPARATION OF LEGISLATIVE MEASURES

Recommendation 1 – Amend Chapter 218 to add a provision similar to *Nevada Revised Statutes* (NRS) 218.2415 to read: "the Nevada Silver Haired Legislative Forum may request directly the Legislative Counsel and the Legal Division of the Legislative Counsel Bureau to prepare five legislative measures for a regular legislative session." (Proposed by Robert E. Erickson, Forum Member, June 14, 2004.)

- Robert E. Erickson explained that the Forum has the ability to submit recommendations for bill draft requests (BDRs) to the Legislative Commission and the Governor. He indicated that Recommendation 1 would give the Forum the ability to request BDRs on its own, and be less dependent on others to sponsor BDRs.
- Mimi Rodden concurred with Mr. Erickson's recommendation and suggested the Forum support the proposed recommendation.
- The Committee **APPROVED THE FOLLOWING ACTION:**

ROBERT E. ERICKSON MOVED TO RECOMMEND THE AMENDMENT OF CHAPTER 218 TO ADD A PROVISION SIMILAR TO *NEVADA REVISED STATUTES* (NRS) 218.2415 TO READ, "THE NEVADA SILVER HAired LEGISLATIVE FORUM MAY REQUEST DIRECTLY THE LEGISLATIVE COUNSEL AND THE LEGAL DIVISION OF THE LEGISLATIVE COUNSEL BUREAU TO PREPARE FIVE LEGISLATIVE MEASURES FOR A REGULAR LEGISLATIVE SESSION." THE MOTION WAS SECONDED BY MIMI RODDEN, WHICH PASSED UNANIMOUSLY.

CARE GIVING

Recommendation 2 – Amend Chapter 449 to require licensing of all individuals who provide residential care, unless the persons receiving those services are related or have an affinity to the person providing those services. (Proposed by Thelma Clark, Forum President, June 22, 2004.)

- President Clark explained that licensing of residential care is not required for individuals taking care of two or fewer patients in a residential setting. Because this provision is not in the law, the Aging Services Division does not have the authority to visit such homes to conduct inspections. Additionally, President Clark requested that staff determine the licensing fee for caregivers, and suggested possibly reducing the fee.
- Robert Mohr questioned the minimum requirement for a person to be licensed. He noted the example of a person providing service as a caregiver on a temporary basis, and asked if the caregiver would be required to obtain a license. President Clark responded that the license would pertain only to people who live at the

home on a full-time basis.

- Kim Marsh Guinasso, Principal Deputy Legislative Counsel Bureau, Legal Division, Legislative Counsel Bureau (LCB), stated that temporary care could be addressed in the proposed legislation if the Forum desired this change.
- Alice Adams asked if the provision would include individuals who are drug users. Ms. Marsh Guinasso responded that the definition in NRS 449.0105, states, “The term does not include a halfway house for recovering alcohol and drug users.”

Ms. Adams asked for clarification of the law regarding a person renting a room and needing the assistance of a caretaker. President Clark responded that there are individuals in homes who are bedridden or unable to care for themselves and pay for care similar to that of a nursing home.

- President Clark suggested a BDR be submitted to a Nevada legislator.
- Ms. Rodden suggested the Forum sponsor the proposed recommendation and agreed to include additional legislation in the recommendation.

The Forum took no formal action on Recommendation 2.

Recommendation 3 – Require English language to be used in care facilities to facilitate communication between elderly patients and staff. (Proposed by Thelma Clark, Forum President, May 5, 2004.)

- President Clark noted this legislation was proposed in the 1997 Legislative Session, but did not pass; however, similar legislation has passed in other states. Additionally, President Clark was of the opinion that facilities need individuals who speak two or three languages and have an understanding of the English language.
- Scotty Gosh concurred and noted that facilities need to have staff on hand who can interpret the needs of their patients.
- Evelyn Canestra concurred and suggested that English needs to be the “generic language,” and that staff have the ability to communicate and understand the English language.
- Mimi Rodden concurred and commented it is critical that there be one language in care facilities, which utilizes basic communication skills for all situations.
- Robert E. Erickson elaborated that when the 2000 census was completed, nearly 20 percent of the people in Nevada were Hispanic and approximately 7 to 8 percent of the population was from other countries. He questioned if there would be legal impediments or issues involved if the Forum proceeds with the proposed recommendation.
- Ms. Marsh Guinasso, previously identified, stated that legislation could be drafted that would require that licensed health care workers have the ability to communicate effectively with patients regarding health issues.
- Mimi Rodden commented that the recommendation is directed toward managerial or administrative positions and suggested legislation be drafted in such a manner to not be offensive.
- Scotty Gosh concurred and suggested an interpreter be available on site to interpret different languages.
- Ms. Canestra concurred with Mr. Gosh and reiterated an interpreter is needed in a facility for the protection of those who speak English.
- President Clark suggested that Ms. Rodden write a proposal that the Forum could review at its next meeting. Ms. Rodden commented that she will accommodate the President’s request with the assistance of the Legislative Counsel Bureau’s Legal Counsel. President Clark suggested approval of this proposal for all health care

facilities and indicated that the Forum should ask a legislator to sponsor Recommendation 3.

- Alice Adams was of the impression that a nurse was required to speak English and asked for clarification on this issue. President Clark responded that it is a requirement that caregivers speak English, but facilities do not comply with the provisions.
- The Committee **APPROVED THE FOLLOWING ACTION:**

PRESIDENT CLARK MOVED FOR THE FORUM TO CONSIDER, AT A LATER DATE, TO DRAFT LANGUAGE ADDRESSING THE NEED FOR HEALTH CARE PROVIDERS TO HAVE THE ABILITY TO COMMUNICATE WITH PATIENTS IN HEALTH CARE FACILITIES. THE MOTION WAS SECONDED BY ROBERT MOHR, WHICH PASSED UNANIMOUSLY.

Recommendation 4 – Require additional hours of training in geriatrics for a person licensed to provide health care in a similar manner to the wording in Assembly Bill 349 (Chapter 120, *Statutes of Nevada 2003*) as introduced in the Seventy-Second Regular Legislative Session, 2003. (Proposed by Thelma Clark, Forum President, May 5, 2004.)

- President Clark explained that Assembly Bill 349, as introduced in the 72nd Regular Legislative Session, 2003, did not pass.
- Margaret Spooner requested this recommendation to be more detailed by adding continuing hours of education and identifying a specific time-period for training.
- Ronald E. Stoller noted the State of Missouri has a requirement that staff have at least 30 hours per-year of geriatrics training.
- Mimi Rodden concurred with Margaret Spooner and suggested the Forum be more specific in its recommendation by determining what requirements are imposed in surrounding states. Ms. Rodden added that requirements could be completed through distance learning or on the Internet.
- Robert E. Erickson addressed the legislative bill draft request process and noted the three members of the Assembly who supported this legislative measure during the 2003 Legislative Session were Assembly Members Barbara E. Buckley, Jerry D. Claborn and Genie S. Ohrenschall.
- The Forum members agreed to have President Clark submit legislation to Assembly Members Barbara E. Buckley, Jerry D. Claborn and Genie S. Ohrenschall and suggested the Forum send a general letter of support to Assembly Members Barbara E. Buckley, Jerry D. Claborn and Genie S. Ohrenschall.

The Forum took no formal action on Recommendation 4.

Recommendation 5 – Amend Subsection 2 of NRS 427A.330, changing the appointment date of Forum Members from December 1 of odd-numbered years to March 1 of odd-numbered years. (Proposed by Thelma Clark, Forum President, June 4, 2004.)

- Robert E. Erickson stated the provisions recommend that Senators nominate Forum members in consultation with Assembly members and suggested that staff approach Assembly members for possible nominations. Additionally, he stated he would not support a change of the Forum members' nomination to odd-numbered years.
- President Clark requested that Ms. Domenici contact Assembly members in the vacant senatorial districts for possible Forum nominations.
- The Committee **APPROVED THE FOLLOWING ACTION:**

JANE MAXFIELD MOVED TO NOT AMEND SUBSECTION 2 OF NRS 427A.330. THE MOTION WAS SECONDED BY DONALD KIRKWOOD, WHICH PASSED UNANIMOUSLY.

Recommendation 6 – Amend Subsection 1 of NRS 427A.380, pertaining to holding three public hearings in three different areas of the state, to holding three public hearings in any area of the state. (Proposed by Thelma Clark, Forum President, and Dale Porter, Forum Member, March 4, 2004.)

- President Clark elaborated on the recommendation, and stated that the videoconferencing system works well at the Carson City and Las Vegas meeting locations and noted that in the past meetings utilizing videoconferencing have been unsuccessful when held in other areas of the state.
- The Committee **APPROVED THE FOLLOWING ACTION:**

EVELYN CANNESTRA MOVED TO RECOMMEND THE AMENDMENT OF SUBSECTION 1 OF NRS 427A.380, PERTAINING TO HOLDING THREE PUBLIC HEARINGS IN THREE DIFFERENT AREAS OF THE STATE, TO HOLDING THREE PUBLIC HEARINGS IN ANY AREA OF THE STATE. THE MOTION WAS SECONDED BY JANE MAXFIELD, WHICH PASSED UNANIMOUSLY.

Recommendation 7 – Amend Subsection 1 of NRS 427A.360, relating to the removal of members from their appointment if three consecutive meetings are missed for any reason, to allowing members to miss meetings with an excused absence of the Forum President. (Proposed by Virgil Getto, Forum Member, March 4, 2004.)

Recommendation 8 – Amend Subsection 1 of NRS 427A.360, pertaining to removing members from their appointment if three consecutive meetings are missed due to an illness, to allowing members to miss meetings with an excused absence of the Forum President. (Proposed by Virgil Getto, Forum Member, March 4, 2004.)

- President Clark explained that two Forum members have been unable to attend three consecutive meetings due to personal and family illness, which prompted Recommendation Nos. 7 and 8.
- Evelyn Cannestra voiced support for the recommendations.
- The Committee **APPROVED THE FOLLOWING ACTION:**

DONALD KIRKWOOD MOVED THAT THE FORUM COMBINE RECOMMENDATION NOS. 7 AND 8 RECOMMENDING TO AMEND SUBSECTIONS 1 AND 2 OF NRS 427A.360, RELATING TO THE REMOVAL OF MEMBERS FROM THEIR APPOINTMENT IF THREE CONSECUTIVE MEETINGS ARE MISSED FOR ANY REASON AND IF THREE CONSECUTIVE MEETINGS ARE MISSED DUE TO AN ILLNESS, TO ALLOWING MEMBERS TO MISS MEETINGS WITH AN EXCUSED ABSENCE OF THE FORUM PRESIDENT. THE MOTION WAS SECONDED BY EVELYN CANNESTRA, WHICH PASSED UNANIMOUSLY.

- Robert E. Erickson suggested that Recommendation Nos. 1, 6, 7, and 8 be combined in the same bill draft request and submitted as one recommendation to a legislator. Ms. Marsh Guinasso concurred.

Recommendation 9 – Amend Subsections 1 and 3 of NRS 703.030 for the Public Utilities Commission, to create a five-member commission. (Proposed by Thelma Clark, Forum President, May 5, 2004.)

Recommendation 10 – Amend Subsection 2 of NRS 703.030 for the Public Utilities Commission, by deleting a professional engineer and adding a person who is a consumer. (Proposed by Thelma Clark, Forum President, May 5, 2004.)

- President Clark noted that in the past, the Public Utilities Commission had a five-member board of the Public Utilities Commission, and was of the opinion that it is important to have a consumer represented on the Commission.
- Robert Mohr noted there could be a potential conflict regarding Recommendation Nos. 9 and 10 relating to NRS 703.030(3)(a), which indicates that not more than two of the Commissioners may be members of the same

political party. President Clark responded and suggested that the provisions of NRS 703.030 be amended to read "Not more than three of the Commissioners."

- Robert E. Erickson noted that he would support this recommendation and stated that professional engineers can also be considered consumers.
- The Committee **APPROVED THE FOLLOWING ACTION:**

ROBERT MOHR MOVED TO COMBINE RECOMMENDATION NOS. 9 AND 10 TO RECOMMEND THE AMENDMENTS OF SUBSECTIONS 1 AND 3 OF NRS 703.030 TO CREATE A FIVE-MEMBER COMMISSION OF THE PUBLIC UTILITIES COMMISSION, AND AMEND SUBSECTION 2 OF NRS 703.030 OF THE PUBLIC UTILITIES COMMISSION, BY DELETING PROFESSIONAL ENGINEERING, AND ADDING AN INDIVIDUAL WHO IS A CONSUMER. EVELYN CANNISTRA SECONDED THE MOTION, WHICH PASSED UNANIMOUSLY.

Recommendation Nos. 19 and 20 were taken out of chronological order.

Recommendation 19 – Urge the U. S. Congress to support identity theft protection as it relates to the Health Insurance Portability and Accountability Act of 1996 (HIPAA). (Proposed by Robert Mohr, National Silver Haired Congress Representative, June 4, 2004.)

- Robert Mohr commented that this recommendation urges Congress to support the protection of seniors against identity theft, and noted that United States Representative Jon C. Porter, Sr., has been conducting town meetings regarding identity theft.
- Robert E. Erickson suggested the Forum send a letter of endorsement and asked to whom the letter should be directed.
- Robert Mohr concurred with Mr. Erickson's suggestion, and indicated the letter should be directed to Nevada's local representatives and Nevada's Congressional Delegation.
- Additionally, President Clark suggested the Forum send a resolution to the majority leaders of the Nevada Legislature and to Nevada's Congressional Delegation.
- Robert Mohr concurred with President Clark and suggested the National Silver Haired Congress send a resolution to the Nevada Silver Haired Congress' Mid-Year February 2005 meeting, and requested that the Forum send a letter to the National Silver Haired Congress supporting the National Silver Haired Congress' Top Five Resolutions.

- The Committee **APPROVED THE FOLLOWING ACTION:**

ROBERT MOHR MOVED TO SEND A LETTER OF ENDORSEMENT TO NEVADA'S CONGRESSIONAL DELEGATION AND TO SEND A RESOLUTION TO THE MAJORITY LEADERS OF THE NEVADA LEGISLATURE AND NEVADA'S CONGRESSIONAL DELEGATION. THE MOTION WAS SECONDED BY BEBE HOFFMAN, WHICH PASSED UNANIMOUSLY.

Recommendation 20 – Urge U. S. Congress to support the Top Five Resolutions of the National Silver Haired Congress. The Resolutions are:

1. Set a date for the White House Conference on Aging in 2005;
2. Seek to preserve English as the official language in the United States;
3. Seek to create the National Background Check and Registry for Health Care Givers;

4. Oppose privatization of Medicare; and
5. Oppose privatization of Social Security.

(Proposed by Pat Wilson, National Silver Haired Senator, March 4, 2004.)

- President Clark suggested this recommendation be sponsored by the Nevada Legislature or the Forum.
- Mimi Rodden suggested that the Forum sponsor the recommendation, and requested that Resolution Nos. 4 and 5 be reworded.
- The Committee **APPROVED THE FOLLOWING ACTION:**

ROBERT MOHR MOVED THE FORUM DISCUSS RECOMMENDATION 20 AT THE FORUM'S NEXT MEETING, AND AMENDED THE RECOMMENDATION BY INCLUDING THE ENTIRE RESOLUTION AS PRESENTED TO THE NATIONAL SILVER HAIRED CONGRESS. THE MOTION WAS SECONDED BY MIMI RODDEN, WHICH PASSED UNANIMOUSLY.

Recommendation 11 – Send a letter to Nevada's Congressional Delegation recommending passage of the States' Right To Innovate In Health Care Act, which enables states to consider a comprehensive health care reform. (Proposed by Dr. Joseph Q. Jarvis, M.D., MSPH, Associate Professor, School Of Medicine, University Of Nevada, Reno, And President, Utah Health Alliance, And Dale Porter, Forum Member, March 4, 2004.)

- Robert E. Erickson recommended the Forum consider this Resolution. Mimi Rodden concurred, and suggested Nevada's Congressional Delegation receive a copy of the letter.
- The Committee **APPROVED THE FOLLOWING ACTION:**

MIMI RODDEN MOVED THAT THE FORUM CONSIDER SENDING A LETTER TO NEVADA'S CONGRESSIONAL DELEGATION AND NEVADA'S ASSEMBLY MEMBERS AND SENATORS, CONCERNING THE STATES' RIGHT TO INNOVATE IN HEALTH CARE ACT, WHICH ENABLES STATES TO CONSIDER A COMPREHENSIVE HEALTH CARE REFORM. THE MOTION WAS SECONDED BY JANE MAXFIELD, WHICH PASSED UNANIMOUSLY.

Recommendation 12 – Send a letter to the Nevada Legislature supporting the concept of and authorizing funding for Nevada's Single-Point of Entry Program. (Proposed by Dr. Lawrence J. Weiss, Director, Sanford Center, May 5, 2004.)

- The Committee **APPROVED THE FOLLOWING ACTION:**

MARGARET SPOONER MOVED THAT THE FORUM APPROVE RECOMMENDATION 12, TO SEND A LETTER TO THE NEVADA LEGISLATURE SUPPORTING THE CONCEPT OF AND AUTHORIZING FUNDING FOR NEVADA'S SINGLE-POINT OF ENTRY PROGRAM. THE MOTION WAS SECONDED BY JANE MAXFIELD, WHICH PASSED UNANIMOUSLY.

Recommendation 13 – Send a letter to the Legislative Commission and the Governor supporting funding for the establishment of the Office of Geriatric Medicine within the Medical School of the University of Nevada and the Community College System of Nevada by requesting the necessary positions and operating expenses over a two-year period. (Proposed by Dr. Lawrence J. Weiss, Director, Sanford Center, and Mary D. Roberts, Forum Member, May 5, 2004.)

- President Clark noted that Recommendation 13 is similar to Recommendation 4; the difference is that Recommendation 4 proposes a bill draft request and Recommendation 13 requests a letter of support. Additionally, President Clark suggested the Forum contact Assembly Member Genie S. Ohrenschall since she introduced similar legislation in the 2003 Legislative Session. President Clark asked the members if they wanted to combine the recommendations.
- Mimi Rodden asked for clarification regarding funding and operating expenses. She suggested that before the

Forum presents the recommendation to Assembly Member Genie S. Ohrenschall, the Forum should determine the specific request needed and the fiscal impact.

- Evelyn Cannestra asked for clarification between the two recommendations, and commented that Assembly Bill 349 (Chapter 120, *Statutes of Nevada 2003*) did not appear to be specific. Additionally, Ms. Cannestra voiced support for the two recommendations.
- President Clark responded that the two recommendations would be combined and stated she would discuss the two recommendations with Assemblywoman Genie S. Ohrenschall.
- Robert E. Erickson asked for clarification and requested staff research the history of Assembly Bill 349 by talking with the sponsor of the bill. President Clark concurred and suggested the Forum discuss this recommendation at the next meeting.
- Jane Maxfield asked why other university systems within the state were not included in the Recommendation.
- Robert Mohr commented that the motion should include President Clark's follow-up on the bill draft request.
- The Committee **APPROVED THE FOLLOWING ACTION:**

EVELYN CANNESTRA MOVED THAT RECOMMENDATION NOS. 4 AND 13 BE COMBINED AND THAT A LETTER BE SENT TO THE LEGISLATIVE COMMISSION AND THE GOVERNOR SUPPORTING FUNDING FOR THE ESTABLISHMENT OF THE OFFICE OF GERIATRIC MEDICINE WITHIN THE MEDICAL SCHOOL OF THE UNIVERSITY OF NEVADA AND THE COMMUNITY COLLEGE SYSTEM OF NEVADA, BY REQUESTING NECESSARY POSITIONS AND OPERATING EXPENSES OVER A TWO-YEAR PERIOD. THE MOTION WAS SECONDED BY MIMI RODDEN, WHICH PASSED UNANIMOUSLY.

ROBERT MOHR MOVED FOR AN AMENDMENT TO RECOMMENDATION NOS. 4 AND 13, NOTING THE CORRECTION OF "THE UNIVERSITY OF LAS VEGAS" TO "THE UNIVERSITY OF NEVADA," ALL INCLUSIVE, TO CONDUCT A STUDY AND SEND A LETTER SUPPORTING FUNDING FOR THE ESTABLISHMENT OF THE OFFICE OF GERIATRIC MEDICINE WITHIN THE MEDICAL SCHOOL OF THE UNIVERSITY OF NEVADA AND THE UNIVERSITY AND COMMUNITY COLLEGE SYSTEM OF NEVADA, BY REQUESTING NECESSARY POSITIONS AND OPERATING EXPENSES OVER A TWO-YEAR PERIOD. THE MOTION WAS SECONDED BY JANE MAXFIELD, WHICH PASSED UNANIMOUSLY.

Recommendation 14 – Send a letter to Nevada's Congressional Delegation recommending increased Alzheimer's research funding at the National Institutes of Health to \$1 Billion to improve care for people suffering with the disease, and add prescription drug coverage to Medicare and change Medicare's home care benefit to meet the chronic needs of people with dementia. (Proposed by Wendy Knorr, Regional Director, Northern Nevada Chapter, Alzheimer's Association, on May 5, 2004.)

- Mimi Rodden asked for clarification of the language recommending additional funding for the National Institute of Health. Additionally, she suggested the recommendation be amended to include the study of all forms of dementia and requested this Recommendation be combined with Recommendation 15.
- President Clark noted that Virgil Getto proposed Recommendation 16 in conjunction with Senator Townsend's presentation. President Clark commented that mental health and Alzheimer's are considered mental health issues and should be combined.
- The Committee **APPROVED THE FOLLOWING ACTION:**

EVELYN CANNESTRA MOVED FOR APPROVAL OF RECOMMENDATION 14 TO SEND A LETTER TO NEVADA'S CONGRESSIONAL DELEGATION RECOMMENDING FUNDING AT THE NATIONAL INSTITUTES OF HEALTH TO \$1 BILLION OF ALL FORMS OF DEMENTIA RESEARCH TO IMPROVE CARE FOR PEOPLE SUFFERING WITH THE DISEASE, AND ADD PRESCRIPTION DRUG COVERAGE TO MEDICARE AND CHANGE MEDICARE'S HOME CARE BENEFIT TO MEET THE CHRONIC NEEDS OF PEOPLE. THE MOTION WAS SECONDED BY ALICE ADAMS, WHICH PASSED UNANIMOUSLY.

Recommendation 15 – Send a letter to the Chairman of the Mental Health Implementation Commission (Senate Bill 301 [Chapter 445, *Statutes of Nevada 2003*]) expressing support of legislation to ensure the mental health of seniors in this state. (Proposed by Virgil Getto, Forum Member, June 4, 2004.)

- President Clark requested Recommendation 15 and 16 be combined. Margaret Spooner concurred.

Recommendation 16 – Send a letter to the Department of Human Resources supporting the development of the plan for increasing the number of beds in Nevada that are used to provide long-term care to persons with dementia, including, without limitation, dementia caused by Alzheimer's disease. (Proposed by Gilda Johnstone, Chief Ombudsman, Aging Services Division, Department of Human Resources.)

- President Clark mentioned that Alzheimer's patients have been relocated out-of-state because there are not sufficient beds available in Nevada.
- Jane Maxfield suggested that Recommendation 15 be amended from "ensure the mental health of seniors in this state" to "care for mentally ill seniors in this state."
- The Committee **APPROVED THE FOLLOWING ACTION:**

MIMI RODDEN MOVED THAT RECOMMENDATION NOS. 15 AND 16 BE COMBINED, AND THAT THE LANGUAGE IN RECOMMENDATION 15 BE AMENDED TO STATE "CARE FOR MENTALLY ILL SENIORS IN THIS STATE." THE MOTION WAS SECONDED BY EVELYN CANNESTRA, WHICH PASSED UNANIMOUSLY.

Recommendation 17 – Discuss ways the Forum can be effective with the homeless population, mentally ill veterans, over medication of mentally ill seniors, and the need for additional in-home care as compared to institutional care. (Proposed by Verlia Hoggard, Forum Member, June 4, 2004.)

- Robert E. Erickson suggested this recommendation be placed on the next agenda, since the Forum member who proposed the recommendation was not present.

The Forum took no action on Recommendation 17.

Recommendation 18 – An interim study to be conducted by a Subcommittee of the Legislative Commission to Consider the Nevada Health Cooperative, which would be a statewide, nonprofit health insurance plan covering every Nevadan for all medically-necessary services including: acute, rehabilitative, long-term and home care, mental health, dental services, occupational health care, prescription drugs and supplies, and preventive and public health measures. Boards of expert and community representatives would assess which services are unnecessary or ineffective, and exclude them from coverage. Private insurance duplicating the single payer coverage would be proscribed. Patient co-payments and deductibles would also be eliminated. (Proposed by Dr. Joseph Q. Jarvis, M.D., MSPH, Associate Professor, School of Medicine, University of Nevada, Reno, and President, Utah Health Alliance.)

- Robert E. Erickson suggested the Forum not endorse this recommendation at this time, and recommended the Forum determine what the 2005 Legislative Session will be considering. Mr. Erickson stated the Legislature usually adds approximately six topics for interim studies, along with the ongoing studies.

- President Clark requested that Recommendation 18 be held until the next Forum meeting.

The Forum took no action on Recommendation 18.

Recommendation 21 – Recommend to the United States Congress that the federally designated level signifying poverty be raised, which will allow increased eligibility from the Low-Income Energy Assistance Program and the Weatherization Program. (Proposed by Thelma Clark, Forum President, June 22, 2004.)

- President Clark commented that the Welfare Division, Department of Human Resources, receives funding from a universal charge that individuals pay on utility bills. She stated that 75 percent of the money goes to the Welfare Division for individuals who are unable to pay their utility bills, and 25 percent goes to the Housing Division, Department of Business and Industry, for the Weatherization Program. President Clark suggested the Forum ask either the Nevada Legislature or the U. S. Congress to increase the poverty level from 150 percent to 200 percent, which would reduce the price consumers are paying on their utility bills.
- Mimi Rodden suggested it would be more effective to request that the Nevada Legislature increase the poverty level from 150 percent to 200 percent of the national poverty level.
- Robert E. Erickson concurred and noted that additional research needs to be conducted on the federal poverty level to determine the number of people this recommendation would affect. Additionally, he suggested the Forum may not want to identify a specific percentage, and suggested the letter be broader.
- President Clark suggested the Forum request a concurrent resolution and indicated she conducted a survey for Sprint of 101 individuals living in a mobile home park. The survey revealed that the individuals in the park could have applied for Weatherization funding if the poverty level was increased to 175 percent. Additionally, she noted Sprint has a Lifeline Program for seniors, and explained that Sprint went to the PUCN and Consumer Advocate to request that the poverty level be raised to 175 percent.
- Evelyn Cannestra asked if there was any way the Forum could “spot light” the money to ensure that the funding be used for the individuals who need assistance. She asked if the universal energy charge and the Low Income Housing Assistance (LIHA) Program can be accessed by state agencies.
- President Clark responded that the Welfare Division has jurisdiction over the Universal Energy Charge Program and the LIHA Program. She stated the LIHA Program is a federal program, and that the Forum cannot increase the federal poverty level; however, the Nevada Silver Haired Congress can recommend the increase.

- The Committee **APPROVED THE FOLLOWING ACTION:**

EVELYN CANNESTRA MOVED THAT RECOMMENDATION 21 BE AMENDED TO RECOMMEND TO THE NEVADA STATE LEGISLATURE THAT THE DESIGNATED STATE LEVEL SIGNIFYING POVERTY BE RAISED OR OTHER MEASURES USED, WHICH WOULD ALLOW INCREASED ELIGIBILITY FROM THE LOW-INCOME ENERGY ASSISTANCE PROGRAM AND THE WEATHERIZATION PROGRAM. THE MOTION WAS SECONDED BY MARGARET SPOONER, WHICH PASSED UNANIMOUSLY.

Recommendation 22 – A letter was sent on behalf of the Nevada Silver Haired Legislative Forum to the members of the Legislative Commission’s Interim Study Concerning the Feasibility of Long-Range Mass Transit Within State and to Urban Areas of Neighboring States (Senate Concurrent Resolution No. 31, [File No. 90, *Statutes of Nevada*]

2003]), expressing support of increased bus transportation in the rural areas, which is vital to the senior population. (Completed by Robert E. Erickson, Forum Member, May 7, 2004.)

- Robert E. Erickson commented that he attended the work session of the Legislative Commission's Interim Study Concerning the Feasibility of Long-Range Mass Transit Within State and to Urban Areas of Neighboring States (Senate Concurrent Resolution No. 31, [File No. 90, *Statutes of Nevada 2003*]), and stated that this recommendation would be coming forward in a resolution or a bill.
- President Clark requested the Forum wait until the resolution is finalized before the Forum makes the decision to support this measure.
- Upon completion of considering all recommendations on the "Work Session Document," President Clark addressed the Forum's bill draft requests to determine whether they need to be presented to the Legislative Commission. She explained that during her tenure on the Forum, the Forum has not received any bill draft requests from the Legislative Commission or the Governor's Office. She suggested that the Forum provide the Legislative Commission and the Governor with a copy of the Forum's proposed legislation and an explanation of why the Forum is requesting the legislation.
- Kim Marsh Guinasso, previously identified, responded that currently there is no special dispensation for the Forum to request bill draft requests from the Legislative Commission. She stated that some of the recommendations for bill draft requests are included in the Forum's report, and President Clark will submit the other recommendations to individual legislators. Ms. Marsh Guinasso noted President Clark will submit to the Legislative Commission and the Governor Recommendations Nos. 1, 6, 7, and 8 as one recommendation for a bill draft request. Recommendation Nos. 9 and 10, which concern the Public Utilities Commission, will be combined into another recommendation, for a bill draft request.
- President Clark noted that the Forum voted on other issues, and asked if they should be included in the report. Ms. Marsh Guinasso commented there are also recommendations for letters of support and stated that the Legislative Commission must provide Legal Counsel with all recommendations for bill draft requests by September 1, 2004. Additionally, all legislative requests being made by the Forum to the Legislative Commission must be voted on at its meeting today to meet the Commission's deadline for bill draft requests.
- Robert E. Erickson suggested the Forum find a legislator who will support Recommendation Nos. 9 and 10 and indicated that the Forum would receive a favorable response on Recommendation Nos. 1, 6, 7, and 8 concerning the administration of the Forum. He suggested these recommendations be combined into one bill draft request, and that the Forum find an individual legislator for Recommendation Nos. 9 and 10.
- President Clark concurred and noted that Recommendation Nos. 9 and 10 would be submitted to the Chair of the Senate Committee on Commerce and Labor and the Assembly Committee on Commerce and Labor. Mrs. Clark requested Ms. Domenici determine who the Chairs of these standing committees will be. Additionally, she noted Recommendation 4 will be submitted to Assemblywoman Genie S. Ohrenschall with draft legislation.
- Robert E. Erickson noted that staff compiles a report with the summary of recommendations and issues letters of support. He suggested staff send the summary of draft recommendations to members for review before the report is sent to the Legislative Commission.
- President Clark stated that when members hold meetings with their legislators that members should have a copy of the completed summary of recommendations. Additionally, Mrs. Clark encouraged each of the members to conduct meetings in their districts, which will ensure representation from the entire state.
- Mimi Rodden noted that she worked with Ms. Marsh Guinasso, and that they have suggested language regarding Recommendation 3, which requires that the English language in care facilities be spoken. Ms. Marsh Guinasso noted there is a section in the *Nevada Administrative Code*, which requires caregivers in a

residential facility to demonstrate the ability to read, write, speak, and understand the English language. This language could be used in the recommendation to require caregivers in any of the facilities that the state regulates, to demonstrate the ability to conversant in the English language.

- Mimi Rodden asked how the Forum would ensure that the state implements the recommendation. President Clark suggested that penalties could be added to the recommendation.
- President Clark scheduled the next meeting for Friday, September 10, 2004, at 10 a.m.

ADJOURNMENT

- There being no further business to come before the Forum, the meeting was adjourned at 2:38 p.m.

Respectfully submitted,

Lona M. Domenici, Research Analyst
Administrative Division

APPROVED BY:

Harriet Trudell, Secretary

Date: _____

APPROVED BY:

Thelma Clark, President

Date: _____

LIST OF EXHIBITS

[Exhibit A](#) is the “Meeting Notice and Agenda” for the meeting provided by Lona M. Domenici, Research Analyst, Administrative Division, Legislative Counsel Bureau.

[Exhibit B](#) is the Treasurer’s Reports for the June 4, 2004, and July 12, 2004, meetings provided by Herbert Perry, Forum Treasurer.

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