

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

**SUMMARY MINUTES AND ACTION REPORT**

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The first meeting of the Nevada Legislature's Legislative Committee on Health Care was held on Monday, November 16, 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 2135 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 website at <http://www.leg.state.nv.us/interim/78th2015/committee/>. In addition, copies of the audio or video record are available 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) and may be available online at <http://www.leg.state.nv.us/Granicus/>.

**COMMITTEE MEMBERS PRESENT IN LAS VEGAS:**

Assemblyman James Oscarson, Chair  
Senator Joseph (Joe) P. Hardy, M.D., Vice Chair  
Senator Patricia (Pat) Spearman  
Assemblyman David M. Gardner

**COMMITTEE MEMBERS PRESENT IN CARSON CITY:**

Senator Ben Kieckhefer  
Assemblywoman Teresa Benitez-Thompson

**LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:**

Megan Comlossy, Senior Research Analyst, Research Division  
Risa B. Lang, Chief Deputy Legislative Counsel, Legal Division  
Eric Robbins, Deputy Legislative Counsel, Legal Division  
Gayle Nadeau, Senior Research Secretary, Research Division

*Items taken out of sequence during the meeting have been placed in agenda order.*

## **AGENDA ITEM I—OPENING REMARKS**

Chair James Oscarson called the meeting of the Legislative Committee on Health Care (LCHC) to order and welcomed Committee members and members of the public.

## **AGENDA ITEM II—PUBLIC COMMENT**

Jan Crandy, resident, Las Vegas, Nevada, expressed concern about the number of providers enrolled to serve children with Autism in Nevada, as well as payment rates for providers, and the resulting effect on access to treatment. Please see Exhibit B.

Jon Sasser, representing the Legal Aid Center of Southern Nevada, and Legislative Chair, Nevada Commission on Services for Persons with Disabilities, asked the LCHC to address the impact of reimbursement rates submitted to the federal government for approval on November 9, 2015, on providers who serve children with Autism.

Shawn McGivney, M.D., President, Residential Care Home Community Alliance of Nevada, spoke on behalf of the residential care home industry and expressed concerns about legislative, regulatory, and other changes that continue to affect this industry. Please see Exhibit C-1, Exhibit C-2, and Exhibit C-3.

Tina W. Tsou, Secretary, Las Vegas Dental Association (LVDA), expressed concern regarding the treatment of Nevada dentists and hygienists by the Nevada Board of Dental Examiners of Nevada and its legal counsel. Please see Exhibit D-1, Exhibit D-2, Exhibit D-3, Exhibit D-4, and Exhibit D-5.

Adrian Ruiz, D.D.S., member of the LVDA, shared his concerns regarding how the Board of Dental Examiners of Nevada has treated LVDA members.

Theresa Brushfield, operator of residential facilities for groups in southern Nevada, expressed concerns regarding the increasing regulations affecting her business.

Janelle Kraft Pearce, Chair, Clark County Children's Mental Health Consortium, and representing the Las Vegas Metropolitan Police Department on the Consortium, submitted written comments expressing support for the "System of Care Grant." Please see Exhibit E.

### **AGENDA ITEM III—PRESENTATION OF THE LEGISLATIVE COMMITTEE ON HEALTH CARE WORK PLAN AND MEETING SCHEDULE**

Megan Comlossy, Senior Research Analyst, Research Division, Legislative Counsel Bureau (LCB), addressed LCHC's work plan and meeting schedule for the 2015–2016 Interim. Please see Exhibit F.

### **AGENDA ITEM IV—UPDATE CONCERNING IMPLEMENTATION OF THE AFFORDABLE CARE ACT IN NEVADA**

#### ***A. Background Information and Status Update***

Tracey D. Green, M.D., Chief Medical Officer, Division of Public and Behavioral Health (DPBH), Department of Health and Human Services (DHHS), requested to have Agenda Items IV-A and IV-B combined.

Dena Schmidt, Deputy Director, Programs DHHS, explained four goals of the Affordable Care Act and proceeded with further explanation. Please see Exhibit G.

Discussion ensued regarding: (1) "Request for Proposals" for managed care; (2) number of uninsured Nevadans; (3) percentage of Nevada Medicaid beneficiaries on fee-for-service and managed care; (4) reimbursement rates for hospitals located in low-income areas; (5) projection for the State's Medicaid budget; and (6) number of pending Medicaid applications for Nevadans.

#### ***B. Medicaid***

Dr. Green discussed DHHS's approach to providing health care services to Medicaid enrollees, including moving from crisis treatment to prevention and early intervention in order to meet the needs of Nevada communities. Please see Exhibit G.

Discussion ensued regarding: (1) addressing chronic diseases, preventive services, and Medicaid managed care; (2) ensuring there is medical follow-up for "high-risk" patients under Medicaid; and (3) using technology beyond telemedicine for people in the State's rural areas.

#### ***C. Health Insurance Exchange***

Bruce Gilbert, Executive Director, Silver State Health Insurance Exchange (SSHIE), provided information about SSHIE, reviewed a brief history of the Exchange's challenges and lessons learned, and discussed open enrollment for Plan Year 2016. Please see Exhibit H.

Discussion ensued regarding: (1) COBRA eligibility; (2) SSHIE's budget; and (3) methods of outreach and education about SSHIE in rural areas of Nevada.

## **AGENDA ITEM V—OVERVIEW AND UPDATE ON THE FEDERAL COOPERATIVE AGREEMENT FOR EXPANSION AND SUSTAINABILITY OF THE COMPREHENSIVE COMMUNITY MENTAL HEALTH SERVICES FOR CHILDREN WITH SERIOUS EMOTIONAL DISTURBANCES (SYSTEM OF CARE GRANT)**

Kirsten Coulombe, Administrator, Division of Child and Family Services (DCFS), DHHS, provided brief introductory remarks.

Kelly Wooldridge, Deputy Administrator, Children's Mental Health Services, DCFS, DHHS, explained the System of Care Grant and why DCFS applied for the grant. Please see Exhibit I.

Discussion ensued regarding: (1) how other states are reducing costs as a result of systems of care; (2) reimbursing local service providers—grant-based or criteria-based direct bill; (3) the time frame for changing methods for delivering of services; (4) distributing first year's budget dollars to community providers during 2016; (5) comparing the number of children served by the System of Care Grant relative to private sector providers; (6) ensuring data collected is evidence-based through quality assurance aspects of the grant; (7) reflecting cost-of-care in the State's Medicaid budget; (8) analyzing causes of youth suicides in Nevada; and (9) identifying "best practices" for system reform in children's mental health.

## **AGENDA ITEM VI—BACKGROUND INFORMATION ON ISSUES AFFECTING RURAL AND URBAN HOSPITALS IN NEVADA**

Joan S. Hall, R.N., B.S.N., President, Nevada Rural Hospital Partners (NRHP), explained NRHP provides the only health care in Nevada's rural areas, as identified on the map titled "Healthcare Resources In Nevada – 2015" within the data book titled *Nevada State Office of Rural Health, Nevada Rural and Frontier Health Data Book – Seventh Edition, January 2015*, and on the map titled "Nevada Rural Hospital Partners – 2015 Consortium Map" within the *Nevada Rural Hospital Partners 2014 Resource Guide*. Please see Exhibit J, Exhibit K, and Exhibit L.

Discussion ensued regarding: (1) navigating the noncollaboration of health insurers in reimbursing advanced practice registered nurses; (2) budgeting for the State's psychiatric needs; (3) confirming that Tonopah's hospital was not a "critical access" hospital; and (4) assessing availability of beds for adult mental health in northern Nevada.

Bill Welch, President and Chief Executive Officer, Nevada Hospital Association, addressed Nevada hospitals and provided an overview of priority issues and opportunities to address the issues. Please see Exhibit M-1 and Exhibit M-2.

## **AGENDA ITEM VII—BACKGROUND INFORMATION AND ISSUES AFFECTING MEDICAL PROVIDERS IN NEVADA**

### ***A. Nurses***

Debra Scott, M.S.N., R.N., F.R.E., Executive Director, State Board of Nursing (SBN), provided a short summary of SBN's activities and called attention to SBN's *Annual Report 2014-2015*. Please see Exhibit N and Exhibit O.

Discussion ensued regarding: (1) processing medical licenses in a timely manner; (2) assessing the impact of "assignment despite objection" and safe patient staffing relative to the passage of Senate Bill 362 (Chapter 395, *Statutes of Nevada 2013*); (3) creating a "ladder program" to train medics to work in the nursing field; (4) the nursing shortage, especially in the area of direct care of patients, and providing incentives to keep nursing graduates in Nevada; and (5) increasing the number of advanced practice registered nurses and bachelor of science in nursing graduates in the State.

### ***B. Pharmacists***

Paul Edwards, General Counsel, State Board of Pharmacy (SBP), explained the role of the SBP and addressed its history, present activities, and future plans.

Discussion ensued regarding: (1) implementation of the requirements in S.B. 114 (Chapter 311, *Statutes of Nevada*) and S.B. 288 (Chapter 247, *Statutes of Nevada*) of the 2015 Session; and (2) prescriptions for certain opioid rescue drugs and related educational programs.

### ***C. Physicians***

Catherine M. O'Mara, Executive Director, Nevada State Medical Association (NSMA), addressed NSMA's five main concerns: (1) its policy theme; (2) medical care provider shortages; (3) Medicaid expansion; (4) network adequacy; and (5) the influential role of NSMA in public health and safety issues.

Andrew M. Eisen, M.D., President, Clark County Medical Society (CCMS), shared the interests and concerns of CCMS: (1) prescription drug monitoring program and accuracy of the database; (2) access to quality health care for all Nevadans; and (3) the physician workforce shortage.

Discussion ensued regarding: (1) notifying the SBP of inaccurate information in its monitoring database; and (2) veterans receiving medical attention outside the Veterans' Health Administration.

## **AGENDA ITEM VIII—UNIVERSITY OF NEVADA, LAS VEGAS (UNLV), SCHOOL OF MEDICINE: STATUS UPDATE AND NEXT STEPS**

Barbara Atkinson, M.D., Founding Dean, UNLV School of Medicine, focused her presentation on three areas of importance for the UNLV School of Medicine: (1) offering a “world-class” education through innovation and graduating the “very best doctors”; (2) keeping the School’s graduating doctors in Nevada; and (3) providing training in specialties that medical students demand. Please see Exhibit P and Exhibit Q.

## **AGENDA ITEM IX—CONSIDERATION OF REGULATIONS PROPOSED OR ADOPTED BY CERTAIN LICENSING BOARDS PURSUANT TO NRS 439B.225**

(This agenda item was taken out of order.)

- A. LCB File No. R026-14 Aging and Disability Services Division, DHHS*
- B. LCB File No. R091-14 Board of Examiners for Marriage and Family Therapists and Clinical Professional Counselors*
- C. LCB File No. R127-14 Board of Psychological Examiners*
- D. LCB File No. R001-15 State Board of Pharmacy*
- E. LCB File No. R003-15 State Board of Pharmacy*
- F. LCB File No. R048-15 Board of Occupational Therapy*
- G. LCB File No. R050-15 Speech-Language Pathology, Audiology and Hearing Aid Dispensing Board*
- H. LCB File No. R090-15 State Board of Nursing*

Eric Robbins, Deputy Legislative Counsel, Legal Division, LCB, reviewed the above regulations, with the exception of Item D, LCB File No. R001-15. Chair Oscarson noted this regulation would be addressed at a future LCHC meeting. Please see Exhibit R-1, Exhibit R-2, Exhibit R-3, Exhibit R-4, Exhibit R-5, Exhibit R-6, Exhibit R-7, Exhibit R-8, and Exhibit R-9.

## **AGENDA ITEM X—PUBLIC COMMENT**

Chair Oscarson called for public comment; however, no testimony was presented.

## **AGENDA ITEM XI—ADJOURNMENT**

There being no further business to come before the Committee, the meeting was adjourned at 2:47 p.m.

Respectfully submitted,

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Gayle Nadeau  
Senior Research Secretary

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Megan Comlossy  
Senior Research Analyst

APPROVED BY:

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Assemblyman James Oscarson, Chair

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

## EXHIBITS

EXHIBIT	WITNESS/ENTITY	DESCRIPTION
Exhibit A	Megan Comlossy, Senior Research Analyst, Research Division, Legislative Counsel Bureau (LCB)	Agenda
Exhibit B	Jan Crandy, resident, Las Vegas	Prepared testimony
Exhibit C-1	Shawn McGivney, M.D., President, Residential Care Home Community Alliance of Nevada (RCHCAN)	Prepared testimony
Exhibit C-2	Shawn McGivney, M.D., President, RCHCAN	Residential care home industry statement
Exhibit C-3	Shawn McGivney, M.D., President, RCHCAN	Data related to long-term care costs and services comparisons; state-by-state assisted living regulations; group homes; and support services for people with disabilities
Exhibit D-1	Tina W. Tsou, Secretary, Las Vegas Dental Association (LVDA)	Prepared testimony
Exhibit D-2	Tina W. Tsou, Secretary, LVDA	E-mailed statement to Megan Comlossy from Scott Brooksby, LVDA President, and Tina W. Tsou
Exhibit D-3	Tina W. Tsou, Secretary, LVDA	Federal racketeering laws and state dental boards document
Exhibit D-4	Tina W. Tsou, Secretary, LVDA	Communication to Brett Kandt, Chief Deputy Attorney General, Office of the Attorney General
Exhibit E	Janelle Kraft Pearce, Chairman of the Clark County Children's Mental Health Consortium	Prepared testimony
Exhibit F	Megan Comlossy, Senior Research Analyst, Research Division, LCB	Legislative Committee on Health Care's (LCHC) work plan and meeting schedule for the 2015-2016 Interim
Exhibit G	Tracey D. Green, M.D., Chief Medical Officer, Division of Public and Behavioral Health, Department of Health and Human Services (DHHS), and Dena Schmidt, Deputy Director, DHHS	Presentation regarding the Affordable Care Act updates and Medicaid in Nevada
Exhibit H	Bruce Gilbert, Executive Director, Silver State Health Insurance Exchange	Presentation regarding Nevada Health Link



Exhibit I	Kelly Wooldridge, Deputy Administrator, Children's Mental Health Services, DCFS, DHHS	Presentation regarding the Nevada System of Care Grant
Exhibit J	Joan S. Hall, R.N., B.S.N., President, Nevada Rural Hospital Partners (NRHP)	Prepared testimony
Exhibit K	Joan S. Hall, R.N., B.S.N., President, NRHP	<i>The Nevada Rural and Frontier Health Data Book – Seventh Edition, January 2015</i>
Exhibit L	Joan S. Hall, R.N., B.S.N., President, NRHP	<i>The Nevada Rural Hospital Partners 2014 Resource Guide</i>
Exhibit M-1	Bill Welch, President and Chief Executive Officer, Nevada Hospital Association (NHA)	Presentation regarding update of Nevada hospitals
Exhibit M-2	Bill Welch, President and Chief Executive Officer, NHA	Six documents: (1) bed specialty data sheet; (2) inpatient cases and bed days in Nevada; (3) activity by year by payer; (4) hospital FTE (as of Q5 CY 2014); (5) hospital story; and (6) State health workforce rankings
Exhibit N	Debra Scott, M.S.N., R.N., F.R.E., Executive Director, State Board of Nursing (SBN)	Outline of presentation information
Exhibit O	Debra Scott, M.S.N., R.N., F.R.E., Executive Director, SBN	<i>SBN Annual Report 2014–2015</i>
Exhibit P	Barbara Atkinson, M.D., Founding Dean, University of Nevada, Las Vegas (UNLV), School of Medicine	Presentation regarding the UNLV School of Medicine's vision for the future
Exhibit Q	Barbara Atkinson, M.D., Founding Dean, UNLV, School of Medicine	Information sheets regarding: (1) creating a new health care eco-system for Nevada; and (2) overcoming social determinants to create greater social justice in health for all of Nevada
Exhibit R-1	Eric Robbins, Deputy Legislative Counsel, Legal Division, LCB	Summary list of State agency regulations for review by LCHC
Exhibit R-2	Eric Robbins, Deputy Legislative Counsel, Legal Division, LCB	<i>R026-14 Aging and Disability Services Division</i>
Exhibit R-3	Eric Robbins, Deputy Legislative Counsel, Legal Division, LCB	<i>R091-14 Board of Examiners for Marriage and Family Therapists and Clinical Professional Counselors</i>

Exhibit R-4	Eric Robbins, Deputy Legislative Counsel, Legal Division, LCB	<i>R127-14 Board of Psychological Examiners</i>
Exhibit R-5	Eric Robbins, Deputy Legislative Counsel, Legal Division, LCB	<i>R001-15 State Board of Pharmacy</i>
Exhibit R-6	Eric Robbins, Deputy Legislative Counsel, Legal Division, LCB	<i>R003-15 State Board of Pharmacy</i>
Exhibit R-7	Eric Robbins, Deputy Legislative Counsel, Legal Division, LCB	<i>R048-15 Board of Occupational Therapy</i>
Exhibit R-8	Eric Robbins, Deputy Legislative Counsel, Legal Division, LCB	<i>R050-15 Speech-Language Pathology, Audiology and Hearing Aid Dispensing Board</i>
Exhibit R-9	Eric Robbins, Deputy Legislative Counsel, Legal Division, LCB	<i>R090-15 State Board of Nursing</i>

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 and other materials distributed at the meeting 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.