

MINUTES OF THE FEBRUARY 9, 2022  
MEETING OF THE  
INTERIM FINANCE COMMITTEE

Chair Chris Brooks called a regular meeting of the Interim Finance Committee (IFC) to order at 9:31 a.m. on February 9, 2022, via videoconference. Pursuant to NRS 218A.820, there was no physical location for this meeting.

**COMMITTEE MEMBERS PRESENT:**

Senator Chris Brooks, Chair  
Assemblywoman Maggie Carlton, Vice Chair  
Senator Nicole Cannizzaro  
Senator Moises Denis  
Senator Marilyn Dondero Loop  
Senator Pete Goicoechea  
Senator Scott Hammond  
Senator Dallas Harris  
Senator Heidi Seevers Gansert  
Senator Don Tatro  
Assemblywoman Teresa Benitez-Thompson  
Assemblywoman Michelle Gorelow  
Assemblyman Gregory Hafen  
Assemblywoman Sandra Jauregui  
Assemblywomen Heidi Kasama for Assemblywoman Tolles  
Assemblyman Glen Leavitt  
Assemblywoman Brittney Miller  
Assemblywoman Daniele Monroe-Moreno  
Assemblywoman Sarah Peters  
Assemblyman Tom Roberts  
Assemblywoman Robin Titus  
Assemblyman Howard Watts  
Assemblyman Steve Yeager for Assemblyman Frierson

**COMMITTEE MEMBERS EXCUSED:**

Assemblyman Frierson  
Assemblywoman Tolles

**LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:**

Brenda Erdoes, Director  
Wayne Thorley, Fiscal Analyst, Senate  
Sarah Coffman, Fiscal Analyst, Assembly  
Alex Haartz, Chief Principal Deputy Fiscal Analyst  
Brody Leiser, Chief Principal Deputy Fiscal Analyst  
Bryan Fernley, Legislative Counsel  
Eileen O'Grady, Chief Deputy Legislative Counsel  
Tom Weber, Fiscal Analysis Division Secretary

**EXHIBITS:**

- [Exhibit A](#): Meeting Packet - Volume I
- [Exhibit B](#): Meeting Packet - Volume II
- [Exhibit C](#): Meeting Packet - Volume III
- [Exhibit D](#): Meeting Packet - Volume IV
- [Exhibit E](#): Public Comment - Steven Cohen
- [Exhibit F](#): Public Comment - O'Melveny & Myers LLP, ACLU of Nevada
- [Exhibit G](#): Public Comment - Bradley Summerhill
- [Exhibit H](#): Public Comment - Mathilda Guerrero, Democracy Manager, Silver State Voices
- [Exhibit I](#): Public Comment - Doug Unger, UNLV Chapter President and Government Affairs Representative, Nevada Faculty Alliance
- [Exhibit J](#): Public Comment - Shelly Speck
- [Exhibit K](#): Public Comment - John Speck
- [Exhibit L](#): Public Comment - Heather Richardson, Program Coordinator, UNLV Fostering Scholars Program
- [Exhibit M](#): Public Comment - Kent Ervin, State President, Nevada Faculty Alliance
- [Exhibit N](#): Public Comment - Darlene Anderson
- [Exhibit O](#): SMART 21 - LSI Consulting

**A. ROLL CALL.**

Tom Weber, Fiscal Analysis Division Secretary, Fiscal Analysis Division, Legislative Counsel Bureau (LCB) called roll. All members were present except for Assemblyman Frierson and Assemblywoman Tolles, who were excused.

**B. PUBLIC COMMENT.**

Pursuant to NRS 218A.820, there was no physical location for this meeting. The meeting was broadcast on the Nevada Legislative website at [www.leg.state.nv.us](http://www.leg.state.nv.us). Public comment was accepted live via telephone. Written comments were also accepted by email, facsimile, and mail before, during, and after the meeting.

DOUG UNGER (UNLV Chapter President and Government Affairs Representative, Nevada Faculty Alliance) provided public comment for the record ([Exhibit I](#)).

JAMELLE NANCE (Director, Strong Start Initiatives, Children's Advocacy Alliance):

There are several work programs on today's agenda under Agenda Item F.2 that impact children and families. While I would like to highlight each of them, in the interest of time, I will highlight only a couple.

Agenda Item F.2.59 would provide needed funds to maternal and child health programs that work to improve the health of Nevada's families, specifically pregnant people, infants, children, and adolescents. Additional funds are needed to ensure the programs can continue to improve services and health outcomes for families by providing health education, prevention activities and resources. I ask that the Committee provide funds to support these programs and services.

Next, I would like to highlight Agenda Item F.2.80 regarding the addition of funds to continue to promote the integration of behavioral health in pediatric primary care facilities. Working in the field of early childhood, I know that pediatricians are often one of the first trusted relationships a parent makes regarding a young child. When a parent suspects a young child may need mental health services - or even attempts to understand what that looks like in early childhood - it is often a harsh reality that only trusted professionals can facilitate. These relationships are built long before a child ever enters school and can have lasting positive outcomes with early intervention.

With special training and close follow-up, families can receive the help they need to ensure children are school-ready with the social and emotional support necessary to thrive in and out of the classroom. We support the addition of funds to continue the integration of services, and we would like the program to consider equity measures like audio-only methods, such as phone calls, for families who may not have access to telehealth features due to connectivity issues and lack of internet access.

MATTHEW KAPLAN (President, Nevada Police Union):

I am the president of the Nevada Police Union. We represent all Category 1 State Peace Officers and other public safety workers, including state troopers, parole and probation officers, game wardens, park rangers, university police officers and dispatchers. I am calling today to ask the Legislature to consider these frontline workers who did not work from home during the COVID-19 pandemic. I know there is a general knowledge that there are retention issues at the state level. However, it has become an emergency, as seen recently in many news articles about the spike in highway deaths, particularly in Las Vegas, and the high caseloads for parole and probation officers.

Unless something is done soon to address the enormous gap in pay and benefits, public safety in Nevada will become much worse. I believe waiting until the 2023 Legislative Session would be waiting much too long. I ask that you use funding from the American Rescue Plan Act (ARPA) and other funding sources that you have available to address this issue now.

HEATHER RICHARDSON (Program Coordinator, UNLV Fostering Scholars Program) provided public comment for the record ([Exhibit L](#)).

TERRI LAIRD (Executive Director, Retired Public Employees of Nevada):

The Retired Public Employees of Nevada (RPEN) was formed in 1976. We are a nonprofit dues-based member organization with close to 8,000 members, most of whom are retired public employees. You will hear funding requests from the Public Employees' Benefits Program (PEBP) today, as it deals with budget issues stemming from the COVID-19 pandemic. Many state employees, some of whom are members of RPEN, have struggled with rising health care costs. PEBP plans to impose a COVID surcharge upon non-vaccinated state employees beginning July 1, 2022, which could cost as much as an additional \$225 per month for an unvaccinated worker and one unvaccinated dependent over the age of 18. While we do recognize the need for PEBP to cover the unexpected expenses stemming from the pandemic, we also realize it is an additional cost burden on state employees who have already faced cuts to life insurance and the

elimination of long-term disability; these cuts were made before the 2021 Legislative Session at the urging of the Governor.

The state has received close to \$3 billion in ARPA funds to help state agencies in need, like PEBP. PEBP has been told by the Office of the Governor that it will not receive any of those funds. Like the Committee will hear from other state agencies representing state employees, we urge this body to consider PEBP as it is distributing ARPA funds in the coming months.

It is often said that people enter state service not for the salaries, which are historically less than other local governmental entities, but for the benefits. The recent erosion of state benefits, especially for those hired after December 31, 2011, who will never receive retiree health care contributions like those hired before that date, has led to a loss of interest in state jobs, or current state employees deciding to retire because of rising health care costs. This has led to critical job shortages.

ANNETTE DAWSON OWENS (Director, School Readiness Policy, Children's Advocacy Alliance):

We are calling in support of funding that supports our most at-risk students. We note Agenda Item F.2.20, concerning providing a high-quality education to all students; Agenda Item F.2.16, concerning the use of Title I of the Elementary and Secondary Education Act funding; and Agenda Item F.2.14, concerning the Office of Early Learning and Development.

Regarding Agenda Items F.2.22 and F.2.23, it appears not all federal Individuals with Disabilities Act (IDEA) funding was utilized for FY 2021. There may have been programs in place that we are not aware of, but this is a legitimate concern of parents that work with the Children's Advocacy Alliance. We would also like to ask how students with special needs are being served or supported during this pandemic. We hope insight and clarification can be provided on these questions.

SHELLY SPECK provided public comment for the record ([Exhibit J](#)).

DASHUN JACKSON (Director, Children's Safety and Welfare Policy, Children's Advocacy Alliance):

We support the approval of Agenda Items F.2.77 and F.2.81. We believe it is essential that the agencies are well staffed. As evidenced in Clark County with Child Haven, where staff are overburdened, it is important that these facilities remain staffed, and that the staff and the youth that reside there feel supported and safe. The Children's Advocacy Alliance stands in support of Agenda Item F.2.81.

DR. KENT ERVIN (State President, Nevada Faculty Alliance) provided public comment for the record ([Exhibit M](#)).

**C. APPROVAL OF THE MINUTES OF THE APRIL 1, 2021, MEETING.**

ASSEMBLYWOMAN CARLTON MOVED TO APPROVE  
THE MINUTES OF THE APRIL 1, 2021, MEETING.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE  
MEMBERS PRESENT.

**D. WORK PROGRAM REVISION IN ACCORDANCE WITH NRS 353.220(5)(a) -  
INFORMATIONAL ONLY - APPROVED BY THE GOVERNOR BECAUSE OF AN  
EMERGENCY AS DEFINED IN NRS 353.263 OR FOR THE PROTECTION OF  
LIFE OR PROPERTY - DEPARTMENT OF HEALTH AND HUMAN SERVICES -  
Division of Public and Behavioral Health - Public Health Preparedness  
Program - Addition of \$5,000,000 in federal American Rescue Plan Act,  
Coronavirus State Fiscal Recovery Funds transferred from the COVID-19 Relief  
Programs Budget Account to purchase over-the-counter COVID-19 test kits.**

JULIA PEEK (Deputy Administrator, Division of Public and Behavioral Health,  
Department of Health and Human Services [DHHS]):

Agenda Item D is an emergency work program to bring in \$5 million to allow the  
DHHS Division of Public and Behavioral Health (DPBH) to purchase at-home test kits.  
With that funding, the division purchased almost 590,000 kits. Around 100 sites, including  
libraries, chambers of commerce, welfare offices, health districts, and community-based  
organizations have accepted those kits and will be distributing them to the community.  
The kits started arriving last week. Due to storms that delayed shipments, some are still  
on the way from the east coast to Nevada. The division hopes all the kits will be in Nevada  
by the end of the week.

The division understands that an emergency work program is not the best way to bring  
work programs to the Committee for approval, and we appreciate the Committee's  
discussion of this item.

When the Omicron variant of COVID-19 arrived in Nevada, brick-and-mortar laboratories  
that had good turnaround time prior to the pandemic began experiencing delays in  
providing test results. Nationwide demand issues were causing the labs to have issues  
providing test results and there were long wait times at the physical testing sites.

The division also saw a substantial backorder of point-of-care tests, which have been a  
pivotal part of the COVID-19 response, especially by health care facilities and similar  
entities. Based on the Governor's directive, the division purchased the at-home test kits.  
The idea was not to put the kits in a warehouse. The division wanted them in the  
community.

The division's community-based partners stepped up to accept the kits and it is asking  
those partners for a weekly update on the number of tests moving out of their facilities.

The division will be ordering another volume of those test kits because many other entities came forward who are interested and have a community in need.

The division has developed several maps to show the physical location of the kits; that information is available on the [NVHealthResponse.nv](https://www.nvhealthresponse.nv.gov/) website. All residents can go to the site to get their four free test kits from the division's federal partners. As the division's community-based partners get delivery of kits, the division is posting the location of the agency to show where the kits are in real time.

CHAIR BROOKS:

It is an important part of the state's health response and economic recovery that Nevadans understand whether they are infected.

SENATOR GOICOECHEA:

There seems to be a lot of discussion about the accuracy of some of the tests. Can the division assure the Committee that the accuracy is better than 50/50?

MS. PEEK:

Test accuracies vary based on efficacies. The division did a lot of research and reached out to experts in the state, specifically Dr. Mark Pandori, Director of the Nevada State Public Health Laboratory, to help it understand which purchase made the most sense based on efficacy.

The division did not want to purchase a kit that was not appropriate for the variant. The ACON FlowFlex test, which has shown to be more effective for Omicron, was available. The test is most effective if you are symptomatic. If you are symptomatic and test positive, that result is very accurate.

The division wants Nevadans to have these tests on-hand so that they can test themselves if they become exposed or become symptomatic. If they are symptomatic and negative, they should seek additional testing through the polymerase chain reaction (PCR) test, which is the gold-standard.

ASSEMBLYWOMAN TITUS:

I ordered tests for my household and have received them. I would reiterate that the tests should only be used if there are symptoms, because the results will not be as accurate if you are not symptomatic.

A lot of folks may not have internet access or may not trust or know how to use the internet. Rural areas in Nevada have broadband and access issues. Is there access to information via phone for those who do not have internet access?

MS. PEEK:

The division has developed a survey to go on the [NVHealthResponse.nv](https://www.nvhealthresponse.nv.gov/) website that will walk people through what to do if they test positive based on the type of test used; how to notify contacts; how to figure out their isolation period; whether to look for therapeutics, and how to do that.

The broadband issue is very real. Also, folks could have a challenge navigating the website for whatever reason. The division's call center is developing the option to talk about testing, therapeutics, and vaccinations. The call center will walk the individual through the same thought process as the information online. For example, it will explain how to use the test, what to do if you test positive, and how to navigate therapeutics. The division is working to finalize that script now and are hoping to launch very soon.

ASSEMBLYWOMAN TITUS:

Is there a YouTube video produced by the state or the testing company that shows how to use the test?

MS. PEEK:

I will confirm that those videos are posted on the [NVHealthResponse.nv](https://www.nvhealthresponse.nv.gov/) website. There are also easy to follow YouTube videos that the company put together that take you step-by-step through the process.

The division does not want people to struggle using the tests. If folks are struggling, they can call the 800 number, and the division will either walk them through the steps or help them navigate to the right location to watch the video themselves at home.

ASSEMBLYWOMAN TITUS:

These tests cost about \$6.50 each according to information submitted by the DHHS. Was there a bid process? What is the average cost for the test if someone were to purchase them at a retail drug store?

MS. PEEK:

Initially, when the division put forward the work program, it was going to work with one vendor who was charging \$6.50 per kit. Because the demand for test kits was so high, those kits were sold out before the work program could be finished. The division had to go with a different vendor and settled on \$8.50 per kit for this order; the division is trying to negotiate a lower per-test cost. I happened to see at my local drugstore that the same kits were selling for \$9.99 per kit, so the state is getting a deal for purchasing in volume.

The division talked with more than one vendor. The division's federal partners put together a list of vendors which the Public Health Preparedness (PHP) team contacted to try to get not only the lowest dollar amount, but also quickest turnaround time. The first vendor's kits were \$6.50 each, but that vendor would not have been able to fill another order until March or April, which was too late for the division.

CHAIR BROOKS:

I wanted to clarify that these tests are in addition to the tests the state is getting from the federal government. I have seen the same test for \$10 at the local drug store. I appreciate the agency looking out for the state's funds and working to get the best deal. The timing also speaks to why this is an emergency work program, as the division needed to act fast before losing the opportunity.

**E. STATEMENT OF AMERICAN RESCUE PLAN ACT, CORONAVIRUS STATE FISCAL RECOVERY FUND OBLIGATIONS AND REMAINING RESERVE BALANCES WITHIN THE COVID-19 RELIEF PROGRAMS BUDGET ACCOUNT.**

CHAIR BROOKS:

This is a new agenda item that will be helpful in setting the stage for conversations about federal ARPA funding. It will also be a great reference for the public and the Legislature to show how the funding is being used. I hope this will continue to be an IFC agenda item.

BRODY LEISER (Chief Principal Deputy Fiscal Analyst, Fiscal Analysis Division, LCB):

The ARPA statement can be found on page 71 of the Meeting Packet - Volume I ([Exhibit A](#)). The statement displays 100% of the authorized amounts that have been approved for obligation, as well as items that have been submitted for consideration by the Committee today, regardless of the fiscal year in which the funds may be expended. A good example of this would be the \$54 million that was approved through the passage of Assembly Bill 484 (2021 Legislative Session) for the Department of Employment, Training and Rehabilitation to upgrade its unemployment compensation information system. The Fiscal Division understands that it will take the department several years to complete that system upgrade. It is not known, of the \$54 million, how much may be needed to complete that project, but this statement shows the entire \$54 million that was approved for obligation.

There is a one-page summary on page 71 of ([Exhibit A](#)), as well as a detailed statement of obligations on pages 72 through 75. I will begin with the summary statement. The total \$2.7 billion in the ARPA, Coronavirus State Fiscal Recovery Fund (CSFRF) payment was received on June 4, 2021. The statement breaks out the \$2.7 billion amount into three reserve categories. This is consistent with the reserve categories established within the COVID-19 Relief Program budget. It includes \$1.086 billion in reserves associated with revenue loss pursuant to Senate Bill (S.B.) 461 (2021 Legislative Session). There is \$1.622 billion in the “main reserve” that is not associated with revenue loss. There is \$30 million which has been reserved for the nonprofit community recovery grants as discussed by the Office of the Governor during the December 9, 2021, IFC meeting.

The statement will break down which reserve “bucket” each allocation is requested to be drawn from. On the far-right side of the statement, there is a column to display the total funds, obligations, and remaining obligated balance of funds. The statement is split into three sections, which are displayed on the horizontal rows of the pages. The first sections list the amounts that were obligated through actions of the Legislature during the 2021 Legislative Session, which totals approximately \$770 million. The second section shows amounts obligated under the authority of *Nevada Revised Statutes* (NRS) 353 and lists the corresponding IFC date in which these items were presented, which, in total, is \$25.5 million to date. The third section is work programs that are presented at today’s meeting. Those amounts total approximately \$40.8 million from the three reserve buckets. At the bottom of the summary statement is a bolded row which displays the remaining balances in each reserve bucket after accounting for approved allocations if all items submitted for consideration today are approved by the Committee. There would be



approximately \$1.9 billion in total unobligated funds remaining across the three reserve buckets if all items requested today are approved.

The detail statement begins on page 72 of ([Exhibit A](#)), which follows the same structure and provides additional information on the three sections on page 71. Page 72 of ([Exhibit A](#)) displays the description and amounts obligated through actions of the 2021 Legislature. Page 73 displays descriptions and amounts obligated for approval under the authority of NRS 353, including the IFC meeting date in which the item was presented. Pages 74 and 75 display descriptions and amounts submitted for consideration at today's meeting of the Committee in two parts. The first part takes up most of the page and references the agenda items and program descriptions for allocations that would be transferred from remaining reserve levels if approved by the Committee today. Similar to the one-page summary, there is a bolded row to display the remaining balances, based on the obligations that have been approved to date, and if all items presented at today's meeting are approved.

The second part of this section of the statement begins on the bottom of page 74. The notes section provides a description of work programs that are also on the IFC agenda for today's meeting. These work programs would reconcile funding transfers, approve transfers of previously approved allocations, and/or adjust existing expenditure authority, and therefore do not have dollar amounts reflected on the statement so that the amounts already identified as being obligated are not duplicated.

A good example is Agenda Item D, the emergency work program submitted by the DPBH. As the Committee just heard, the Governor approved the work program as an emergency measure to allocate \$5 million for over-the-counter COVID-19 testing. That \$5 million was approved as part of the \$20.9 million that was initially authorized under Section 1, subsection 2, paragraph b of S.B. 461. The note by this item indicates that the \$5 million for over-the-counter test kits represents a portion of the overall \$20.9 million authorized in this legislation.

ASSEMBLYWOMAN CARLTON:

The statement will make it so much easier to keep track of the funds. Will this statement be incorporated into future presentations to the Committee, or will it be more like the Contingency Account statement, which is a snapshot in time? If we want more detail, will we have to hang onto the previous document?

MR. LEISER:

The statement will be a standing agenda item for the Committee moving forward. The intent is to update the statement based on actions of the Committee today, present that information based on those items that are approved and continue to update the statement on an ongoing basis while the state continues to allocate and spend down the funds. As the Committee members are aware, these funds can be obligated until the end of calendar year 2024. The state then has until 2026 to spend the funds. I expect that the statement will continue to be updated and revised as additional CSFRF obligations are approved.

ASSEMBLYWOMAN CARLTON:

Will current and past information be displayed on each report?

MR. LEISER:

It will be a consolidated statement, which will provide all the information. The statement will be updated so that the Committee does not need to refer to prior versions.

ASSEMBLYWOMAN CARLTON:

It is much easier for the public to find the information if it is all in one place. This is an excellent idea.

The report will grow, but not considerably, because the format is concise and lends itself to being updated. This is the most concise document the Committee has seen so far that shows how the CSFRF funds have been obligated and allocated. I look forward to seeing this report at every meeting of the Committee.

**F. APPROVAL OF GIFTS, GRANTS, WORK PROGRAM REVISIONS AND POSITION CHANGES IN ACCORDANCE WITH CHAPTER 353 OF NRS (list F available upon request).**

**1. WORK PROGRAM REVISION REQUESTS FOR THE EXPENDITURE OF AMERICAN RESCUE PLAN ACT, CORONAVIRUS STATE FISCAL RECOVERY FUNDS.**

WAYNE THORLEY (Senate Fiscal Analyst, Fiscal Analysis Division, LCB):

This is the first time the Committee has seen the work programs broken out into two separate lists. List F.1 includes all work program revision requests with a request to allocate ARPA CSFRF funding, which is part of the \$2.7 billion discussed by Mr. Leiser under Agenda Item E.

List F.2 contains the remaining work program revision requests, requests to approve gifts or grants, and position changes in accordance with NRS 353. There are work programs that request acceptance of ARPA funds in list F.2, but those grant funds are made available directly to agencies for specific purposes are not part of allocations coming from the CSFRF.

There was a revision to Agenda Item F.1.4, Office of the Governor, which was received after the agenda was posted; the revision does not appear in the meeting packet. The revision is an accounting change to the category that the reserve funding would go to. The dollar amount has not changed, and the revision does not alter the agency's plan for the money. The transfer of \$6,995,734 from the Reserve category to the ARPA - S. B. 461 Reserve category, and \$3,884,280 from the Reserve category to the ARPA Project category should be combined to total \$10,880,014.

The following work programs under Agenda Item F.1 have been identified for discussion: Agenda Item F.1.4; F.1.6, DHHS, DPBH; F.1.8, DHHS, Division of Child and Family Services; F.1.12, Department of Conservation and Natural

Resources, Division of Forestry; F.1.18, Office of the Governor; F.1.19, Department of Employment, Training and Rehabilitation, Employment Security Division; F.1.20, DHHS, DPBH; and F.1.21, Office of the Governor.

Agenda Items F.1.13, DHHS, DPBH and F.1.17, Office of the Governor, will be heard together. This is part of the \$30 million mentioned by Mr. Leiser earlier that was set aside in reserve for nonprofit organizations in the Community Recovery Grant Program. Agenda Item F.1.14, Department of Agriculture, is also part of the Community Recovery Grant Program. This request to transfer funding to the Food Bank of Northern Nevada is recommended to come from \$7.6 million that was set aside for food insecurity in S.B. 461. Agenda Items F.1.15, Office of the Governor and F.1.16, DHHS, DPBH will be heard together. These are also part of the Community Recovery Grant Program. There is a small error on page 80 of ([Exhibit A](#)), as the item relates to Item F.1.15 rather than F.1.16.

ASSEMBLYWOMAN TITUS:

I would like Agenda Item F.1.5 pulled for discussion.

ASSEMBLYWOMAN CARLTON MOVED TO APPROVE THE REMAINING WORK PROGRAM REVISIONS AND POSITION RECLASSIFICATIONS UNDER AGENDA ITEMS F.1 AND F.2.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

**1. Office of the Governor - COVID-19 Relief Programs - FY 2022**

Transfer of \$920,626 from the Loss Revenue Reserve category to the American Rescue Plan Act (ARPA) Administration category to support allocations to the Division of Emergency Management and Treasurer's Office. Requires Interim Finance approval since the amount transferred to the ARPA Administration category exceeds \$75,000. **Work Program #22FR132704**

Refer to motion for approval under Agenda Item F.1.

**2. Office of the Governor - COVID-19 Relief Programs - FY 2022**

Transfer of \$733,970 from the Loss Revenue Reserve category to the American Rescue Plan Act (ARPA) Administration category to support allocations to the Governor's Office, Governor's Finance Office, and Office of Small Business Advocacy. Requires Interim Finance approval since the amount transferred to the ARPA Administration category exceeds \$75,000. **Work Program #22FR132705**

Refer to motion for approval under Agenda Item F.1.

**3. Office of the Governor - COVID-19 Relief Programs - FY 2022**

Transfer of \$286,977 from the Loss Revenue Reserve category to the American Rescue Plan Act (ARPA) Project category to support an allocation to the Division of Public and Behavioral Health to fund a master plan for the Las Vegas Mental Health Complex. Requires Interim Finance approval since the amount transferred to the ARPA Project category exceeds \$75,000. **RELATES TO ITEM F.1.7. Work Program #22FR132708**

Refer to motion for approval under Agenda Item F.1.

**4. Office of the Governor - COVID-19 Relief Programs - FY 2022**

Transfer of \$6,995,734 from the Reserve category to the American Rescue Plan Act (ARPA) - Senate Bill 461 Reserve category, \$3,884,280 from the Reserve category to the ARPA Project category, and \$6,655,072 from the Revenue Loss Reserve category to the ARPA Project category to support allocations to the Office of the Treasurer, Division of Public and Behavioral Health, Division of Child and Family Services, and Division of Forestry. Requires Interim Finance approval since the amount added to the ARPA Project category exceeds \$75,000. **RELATES TO ITEMS F.1.6., F.1.8., and F.1.12. Work Program #22FR132709**

Agenda Items F.1.4, F.1.6, F.1.8 and F.1.12 were discussed jointly. Refer to discussion and motion for approval under Agenda Item F.1.12.

**5. Office of the Governor - COVID-19 Relief Programs - FY 2023**

Transfer of \$403,135 from the Reserve category to the American Rescue Plan Act (ARPA) Administration category to support an allocation to the Purchasing Division to fund the warehouse lease for personal protective equipment in Southern Nevada. Requires Interim Finance approval since the amount transferred to the ARPA Administration category exceeds \$75,000. **Work Program #23FR132701**

SHAUNA TILLEY (Executive Branch Budget Officer, Governor's Office of Finance [GFO]):

This work program is requesting to transfer funds from reserve into an expenditure category to allow the GFO to move funds to the Department of Administration, Purchasing Division to fund the lease of a warehouse being used to store personal protective equipment (PPE) related to the COVID-19 pandemic.

ASSEMBLYWOMAN TITUS:

Personal protective equipment is being stored in warehouses throughout the state. How long will the state continue the warehouse lease? When the ARPA funds are expended, is it the intention to find funding elsewhere? How many warehouses is the state using to store this type of equipment?

DAVID FOGERSON (Division Administrator, Division of Emergency Management, Department of Public Safety [DPS]):

The state currently has two warehouses: one in Northern Nevada and one in Southern Nevada. The warehouses store PPE, mobile field hospitals, and all the additional equipment that was gained through the COVID-19 pandemic.

The Division of Emergency Management is doing everything it can to distribute as much PPE as possible to local agencies, nonprofits, and health care facilities. The Governor asked the division to maintain a 60-day supply. The division's goal is to trim down all its PPE to that 60-day supply as part of a phase-in plan.

The Northern Nevada warehouse is leased month-to-month and is the primary warehouse that the division intends to ship PPE from. When that warehouse is closed, the Southern Nevada warehouse will be the only warehouse storing PPE. As the state moves out of the pandemic, the Southern Nevada warehouse will be transitioned from the Division of Emergency Management to the Purchasing Division, which will maintain the warehouse.

The Nevada Department of Corrections (NDOC) needs PPE for normal daily operations for its health care system. The NDOC can buy PPE through the Purchasing Division. The Purchasing Division will be able to maintain a 60-day supply for the next pandemic while still utilizing existing stock. This is the next step in getting out of the emergency phase and preparing for the next disaster.

ASSEMBLYWOMAN TITUS MOVED TO APPROVE  
AGENDA ITEM F.1.5.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE  
MEMBERS PRESENT.

**6. Department of Health and Human Services - Public and Behavioral Health - Immunization Program - FY 2022**

Addition of \$3,884,280 in federal American Rescue Plan Act (ARPA), State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account to fund extension of the COVID-19 contact center contract. Requires Interim Finance approval since the amount added to the Transfer From ARPA category exceeds \$75,000. **RELATES TO ITEM F.1.4. Work Program #22FR321301**

Agenda Items F.1.4, F.1.6, F.1.8 and F.1.12 were discussed jointly. Refer to testimony and motion for approval under Agenda Item F.1.12.

**7. Department of Health and Human Services - Public and Behavioral Health - Southern Nevada Adult Mental Health Services - FY 2022**

Addition of \$286,977 in federal American Rescue Plan Act (ARPA), State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account to fund a master plan for the Southern Nevada Adult Mental Health Services campus (Las Vegas Mental Health Complex). Requires Interim Finance approval since the amount added to the ARPA category exceeds \$75,000. **RELATES TO ITEM F.1.3. Work Program #22FRF31611**

Refer to motion for approval under Agenda Item F.1.

**8. Department of Health and Human Services - Child and Family Services - Children, Youth and Family Administration - FY 2022**

Addition of \$5,750,000 in federal American Rescue Plan Act (ARPA), State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account to supplement federal Victims of Crime Grant subawards to service providers. Requires Interim Finance approval since the amount added to the Transfer From ARPA category exceeds \$75,000. **RELATES TO ITEM F.1.4. Work Program #22FRF31451**

Agenda Items F.1.4, F.1.6, F.1.8 and F.1.12 were discussed jointly. Refer to testimony and motion for approval under Agenda Item F.1.12.

**9. Department of Health and Human Services - Child and Family Services - Northern Nevada Child and Adolescent Services - FY 2023**

Addition of \$316,849 in federal American Rescue Plan Act (ARPA), State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account for staffing to support a surge in demand for the Mobile Crisis Response Team under ARPA guidelines. Requires Interim Finance approval since the amount added to the Transfer From ARPA category exceeds \$75,000. **Work Program #23FRF32811**

Refer to motion for approval under Agenda Item F.1.

**10. Department of Health and Human Services - Child and Family Services - Southern Nevada Child and Adolescent Services - FY 2023**

Addition of \$444,866 in federal American Rescue Plan Act (ARPA), State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account for staffing to support a surge in demand for the Mobile Crisis Response Team under ARPA guidelines. Requires Interim Finance approval since the amount added to the Transfer From ARPA category exceeds \$75,000. **Work Program #23FRF36461**

Refer to motion for approval under Agenda Item F.1.

**11. Department of Employment, Training and Rehabilitation - Employment Security Division - Special Fund - FY 2022**

Transfer of \$836,619 from the Reserve category to the Unemployment Insurance (UI) Information System category to fund personnel and contracted staff to develop the request for proposal for the UI information system modernization. Requires Interim Finance approval since the amount transferred to the UI Information System category exceeds \$75,000. **Work Program #22FR477101**

Refer to motion for approval under Agenda Item F.1.

**12. Department of Conservation and Natural Resources - Division of Forestry - Conservation Camps - FY 2022**

Addition of \$905,072 in American Rescue Plan Act (ARPA), State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account to fund replacement kitchen units, new shower and wash stations, and tow vehicles. Requires Interim Finance approval since the amount added to the ARPA Recovery

Funds category exceeds \$75,000. **RELATES TO ITEM F.1.4. Work Program #22FRF41981**

Agenda Items F.1.4, F.1.6, F.1.8 and F.1.12 were discussed jointly.

ERIK JIMENEZ (Chief Policy Deputy, Office of the State Treasurer):

Before the Committee is a supplemental request for additional money to the Transforming Opportunities for Toddlers and Students (TOTS) Grant. This is a first-in-the-nation program that is providing \$5,000 grants to an initial 1,000 children with disabilities for a variety of purposes to help them recover from the COVID-19 pandemic. The Office of the State Treasurer (Treasurer) saw a tremendous response, much like all the grant programs that the Treasurer runs. There were a little over 2,100 applications for TOTS Grant funding.

The work program has two pieces. The first piece is a little under \$5 million to get through the backlog of applications to ensure that the Treasurer can fund as many of those accounts that came through the initial application process as it can. The second is a group that was unintentionally left out when the Treasurer started this grant program. To ensure that the Treasurer with the rules of the recipients' Medicaid, Social Security, food, or housing assistance programs, the Treasurer is requiring that the \$5,000 go into an Achieving a Better Life Experience (ABLE) account; this helps people with disabilities save without losing their benefits. To sign up for those accounts, someone must be an authorized individual. Children in the foster care system need the social services department in the county they reside to sign up for an ABLE account for them. To ensure that these children have access to this program as well, the Treasurer worked with the Office of the Governor to make sure that a separate amount of money was available for them. Of the \$6.9 million in the work program, \$2 million will be dedicated to children in the foster care system with disabilities.

I talk with families receiving the grant every day, and I would say that this program is literally changing their lives.

ASSEMBLYWOMAN PETERS:

I am very excited about this program and the opportunity to backfill all the need. What the Treasurer is asking for today covers 100% of the initial applicants so that no one will be left behind, correct?

MR. JIMENEZ:

The Treasurer is confident this will fund all the eligible applications out of the 2,150 applications received. The Treasurer saw a little bit of drop off in that number due to lack of eligibility, not having a defined COVID need, or lack of response. The Treasurer also has a waiting list for funding.

ASSEMBLYWOMAN GORELOW:

What factors would be considered in the Treasurer's determination as to who receives grant awards for the children in the foster care system?

MR. JIMENEZ:

Several of the requirements are similar to the provisions of S.B. 461 (2021 Legislative Session), so the Treasurer is not changing eligibility there. The child would have to have a qualifying disability, which is defined on the Treasurer's website, to open an ABLE account. The child must also be under the age of 18. Most importantly, with the ARPA Coronavirus State Fiscal Recovery Fund, applicants must have a defined COVID-19 hardship due to the pandemic or its negative economic effect. Finally, the foster care population specifically must be enrolled and receiving services from either the county social services department and/or the DHHS Division of Child and Family Services, which handles rural foster care. The Treasurer is working with foster care providers on the social service side to verify which children are receiving foster care services.

ASSEMBLYWOMAN CARLTON:

This program is strictly COVID-related. As this program fulfills its responsibility and begins to wind down, when will a report on how the dollars were used be available to the Committee so that it can evaluate the program?

MR. JIMENEZ:

The Treasurer is working through the program right now. I am proud of the speed at which the first \$5 million is going out. All the money will be moved to the accounts today. The Treasurer has moved about \$4.6 million so far and has been waiting for this moment. As soon as the Committee approves the request, the Treasurer will work quickly to get these new dollars out to families. Once all the grant awards are finalized, the Treasurer intends to prepare a report shortly thereafter, which it would be happy to provide to the Committee and/or the Subcommittee to Advise on the Expenditure of Federal COVID-19 Relief Funding. That report will be available within a month after the close of the program, and the Treasurer will work with Fiscal staff to get that report to the Committee.

ASSEMBLYWOMAN CARLTON MOVED TO APPROVE  
AGENDA ITEMS F.1.4, F.1.6, F.1.8 AND F.12.

SENATOR DENIS SECONDED THE MOTION.

ASSEMBLYWOMAN BENITEZ-THOMPSON:

I am impressed with the work that is being done with the Victims of Crime Act and the many dozens of organizations that are being funded by those dollars. It is great work.

THE MOTION PASSED UNANIMOUSLY WITH THE  
MEMBERS PRESENT.

**13. Department of Health and Human Services - Public and Behavioral Health - Behavioral Health Prevention and Treatment - FY 2022**

Addition of \$153,764 in federal American Rescue Plan Act (ARPA), State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account to fund a subaward to the Family Support Center to reduce wait times and serve additional



clients. Requires Interim Finance approval since the amount added to the ARPA Family Support category exceeds \$75,000. **RELATES TO ITEM F.1.17. Work Program #22FRF31701. RECEIVED AFTER SUBMITTAL DEADLINE, 1-21-22.**

Agenda Items F.1.13, F.1.14, F.1.15, F.1.16 and F.1.17 were discussed jointly. Refer to discussion and motion for approval under Agenda Item F.1.17.

**14. Department of Agriculture - Commodity Foods Distribution Program - FY 2022**

Transfer of \$629,026 from the American Rescue Plan Act (ARPA) - Senate Bill 461 Reserve category to the ARPA FBNN category to fund a subaward to the Food Bank of Northern Nevada (FBNN) for the Equitable Outreach Program. Requires Interim Finance approval since the amount transferred to the ARPA FBNN category exceeds \$75,000. **Work Program #22FR136204. RECEIVED AFTER SUBMITTAL DEADLINE, 1-21-22.**

Agenda Items F.1.13, F.1.14, F.1.15, F.1.16 and F.1.17 were discussed jointly. Refer to discussion and motion for approval under Agenda Item F.1.17.

**15. Office of the Governor - COVID-19 Relief Programs - FY 2022**

Transfer of \$201,802 from the Community Recovery Grant Reserve category to the American Rescue Plan Act (ARPA) Project category to provide an allocation to the Division of Public and Behavioral Health to fund a subaward to Baby's Bounty for the diaper bank and baby bundle programs. Requires Interim Finance approval since the amount transferred to the ARPA Project category exceeds \$75,000. **RELATES TO ITEM F.1.16. Work Program #22FR132711. RECEIVED AFTER SUBMITTAL DEADLINE, 1-21-22.**

Agenda Items F.1.13, F.1.14, F.1.15, F.1.16 and F.1.17 were discussed jointly. Refer to discussion and motion for approval under Agenda Item F.1.17.

**16. Department of Health and Human Services - Public and Behavioral Health - Maternal Child and Adolescent Health Services - FY 2022**

Addition of \$201,802 in federal American Rescue Plan Act (ARPA), State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account to support a subaward to Baby's Bounty for the diaper bank and baby bundle programs. Requires Interim Finance approval since the amount added to the ARPA Baby's Bounty category exceeds \$75,000. **RELATES TO ITEM F.1.15. Work Program #22FR322201. RECEIVED AFTER SUBMITTAL DEADLINE, 1-21-22.**

Agenda Items F.1.13, F.1.14, F.1.15, F.1.16 and F.1.17 were discussed jointly. Refer to discussion and motion for approval under Agenda Item F.1.17.

**17. Office of the Governor - COVID-19 Relief Programs - FY 2022**

Transfer of \$153,764 from the Community Recovery Grant Reserve to the American Rescue Plan Act (ARPA) Project category to provide an allocation to the Division of Public and Behavioral health to fund a subaward to the Family Support Center to reduce wait times and serve additional clients. Requires Interim Finance approval since the amount transferred to the ARPA Project category exceeds \$75,000. **RELATES TO ITEM F.1.13. Work Program #22FR132712. RECEIVED AFTER SUBMITTAL DEADLINE, 1-21-22.**

Agenda Items F.1.13, F.1.14, F.1.15, F.1.16 and F.1.17 were discussed jointly.

SHAUNA TILLEY (Executive Branch Budget Officer, GFO):

Agenda Item F.1.13 is a request for funds for the Family Support Center to provide services under the Community Recovery Grant program. Grant applications ended January 3, 2022. This is part of the first wave of requests for the \$30 million nonprofit program.

CHAIR BROOKS:

Is this the first award of the nonprofit grants that the Office of the Governor launched a few months ago?

BAILEY BORTOLIN (Deputy Chief of Staff, Office of the Governor):

Yes. There are four nonprofits who are the first recipients of the Community Recovery Grant. This first item (Agenda Item F.1.13) is regarding the Family Support Center, which provides mental health services in rural Nevada. Each agency that will be overseeing these items is prepared to speak to how the dollars will be spent, and their role in partnering with these organizations.

CHAIR BROOKS:

The Committee does not have any specific questions or issues with the work program. I did want to highlight the good work that the Office of the Governor is doing through the grants being offered to nonprofits. Please describe what the actual outcomes of the grants are going to be.

MS. BORTOLIN:

These four nonprofits are the first round. The Office of the Governor expects to come back with a set of nonprofits that it has worked through to develop these programs at each meeting of the IFC.

DR. STEPHANIE WOODARD (Senior Advisor on Behavioral Health, DHHS):

I am very happy to present to you today the work programs for the Family Support Center, a nonprofit behavioral health organization in Winnemucca serving families, youth, children, and adults in Humboldt, Lander and Pershing Counties.

This funding will be used to expand existing services for behavioral health in the region. The services include family support wraparound services and programs that support individuals who are court-ordered to treatment. The funding will provide the needed staffing to decrease wait times and increase the availability of

services. Currently, the average wait time for individuals seeking services ranges anywhere between three to six weeks. The additional staffing will help to address those needs, and also support supervised visitation for families involved in the child welfare system, child care for parents engaging in behavioral health treatment, and initiate an important peer recovery support program.

ASSEMBLYWOMAN TITUS:

I highly support the program. I understand the funding will be used to hire additional staff. Where will the DHHS find the staff?

Dr. WOODARD:

The Family Support Center has a long-lasting relationship with the communities that they serve. The funding for staffing is relatively small. The Family Support Center seeks to add one substance abuse disorder treatment provider, one mental health provider, and one case manager. I anticipate that with these funds, the Family Support Center will be able to recruit highly qualified individuals while also being able to pay the standard market rate for behavioral health providers.

ASSEMBLYWOMAN TITUS:

I worry that we are moving people around as opposed to hiring additional folks. The staff being hired might already be working somewhere else in the area.

CHAIR BROOKS:

This is much needed assistance for rural Nevada. The Committee appreciates the hard work being done.

BAILEY BORTOLIN (Deputy Chief of Staff, Office of the Governor):

The grant being requested through Agenda Item F.1.14 is for the Northern Nevada Food Bank, who the Office of the Governor works closely with as a partner in its food security plan.

JENNIFER OTT (Director, Nevada Department of Agriculture):

I am here today to provide a brief synopsis of what I hope to be the first of many projects addressing food insecurity in the state. The work program is requesting funds to the Food Bank of Northern Nevada in the amount of \$629,026 drawn from the ARPA Coronavirus State Fiscal Recovery Fund, S.B. 461 (2021 Legislative Session). The Food Bank of Northern Nevada is at the center of an extensive food distribution network in Northern Nevada. The \$629,026 will cover the expenses of four positions over three years to conduct food security and nutrition outreach to those experiencing health disparities and a lack of access to healthy food, as well as 18 Tribal communities that are supported by the Food Bank of Northern Nevada. The Nevada Department of Agriculture is also supporting a driver to stock food pantries and backpack programs at schools.

BAILEY BORTOLIN (Deputy Chief of Staff, Office of the Governor):

Through Agenda Item F.1.16, the Office of the Governor is requesting a subaward to Baby's Bounty, a program for moms in need in Clark County, which will be overseen by the Division of Public and Behavioral Health (DPBH).

JULIA PEEK (Deputy Administrator, DPBH, DHHS):

The DPBH is requesting a subaward to Baby's Bounty to provide diapers, wipes, and baby bundles, which includes portable cribs and car seats. These funds will expand Baby's Bounty's current diaper bank and bundle efforts specifically to families impacted by the COVID-19 pandemic. These programs provide services to disproportionately impacted communities that live at 130% of the federal poverty level who are unable to provide diapers, wipes, a safe sleeping environment, and a car seat for their infants and toddlers.

ASSEMBLYWOMAN CARLTON:

I appreciate this effort. I deal with folks daily who come to get diapers and wipes. We have even begun to provide some cereals and other necessities. Unfortunately, the items are expensive, and they are not optional. I appreciate all the work that Baby's Bounty has done over the last year to get the products out to the families in need. I have heard wonderful things about this excellent program. I would like to congratulate them on their good work.

CHAIR BROOKS:

This is an important piece of the state's COVID-19 recovery efforts. Many of us on the Committee have had multiple children at home in diapers at the same time; this can be very trying on a working family.

SENATOR DONDERO LOOP:

I would like to echo those comments. We tend to forget, not only how expensive diapers are, but how clean diapers help keep babies healthy by avoiding diaper rash. I too appreciate Baby's Bounty and all it does.

ASSEMBLYWOMAN CARLTON MOVED TO APPROVE AGENDA  
ITEMS F.1.13, F.1.14, F.1.15, F.1.16 and F.1.17.

SENATOR DENIS SECONDED THE MOTION.

ASSEMBLYWOMAN CARLTON:

The Committee realizes that everyone is working fast to get these programs started as quickly as possible, but it deserves recognition that the work programs we just discussed were all submitted after the deadline. Fiscal staff did the work that was needed to be done to make sure the requests were on the agenda for today's meeting. I hope that in the future, there will be more time for Fiscal staff to evaluate the requests and send questions to the agency. Thank you for working hard to get the money out into the community.

CHAIR BROOKS:

This is the first four of many requests under the Community Recovery Grant Program that the Committee will be seeing. There will be several requests after this. Those requests will be submitted to the IFC in small batches as they are vetted and approved. I anticipate several IFC meetings moving forward in which the Committee will only be reviewing these grant awards. I ask for the patience and flexibility of the Committee members, as we will probably be scheduling some

quick IFC meetings to approve future requests that do not fall within a regularly scheduled IFC meeting timeline.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

**18. Office of the Governor - COVID-19 Relief Programs - FY 2022**

Transfer of \$993,512 from the Community Recovery Grant Reserve to the American Rescue Plan Act (ARPA) Project category to provide an allocation to the Department of Employment, Training and Rehabilitation to fund a sub-award to Goodwill of Southern Nevada to provide evidence-based workforce development for certified nursing assistants and medical assistants. Requires Interim Finance approval since the amount transferred to the ARPA Project category exceeds \$75,000. **RELATES TO ITEM F.1.19. Work Program #22FR132710. RECEIVED AFTER SUBMITTAL DEADLINE, 1-27-22.**

Agenda Items F.1.18 and F.1.19 were discussed jointly. Refer to discussion and motion for approval under Agenda Item F.1.19.

**19. Department of Employment, Training and Rehabilitation - Employment Security Division - Workforce Development - FY 2022**

Addition of \$993,512 in federal American Rescue Plan Act (ARPA), State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account to support a sub-award to Goodwill of Southern Nevada for evidence-based workforce development for certified nursing assistants and medical assistants. Requires Interim Finance approval since the amount added to the ARPA Workforce Development category exceeds \$75,000. **RELATES TO ITEM F.1.18. Work Program #22FRF47701. RECEIVED AFTER SUBMITTAL DEADLINE, 1-27-22.**

Agenda Items F.1.18 and F.1.19 were discussed jointly.

BAILEY BORTOLIN (Deputy Chief of Staff, Office of the Governor):

This is the last Community Recovery Grant discussion for today's meeting. The Office of the Governor will be coming back to the IFC as often as it can to continue to get these dollars out. It has been a labor of love for the Office of the Governor's staff, the LCB and everyone involved. We appreciate everyone accommodating us to move these dollars to urgently needed programs as quickly as possible.

This program is a subgrant to Goodwill of Southern Nevada (Goodwill) for an evidence-based workforce development program to help members of the Southern Nevada community who are out of work to get into the medical field as nursing assistants and medical assistants. This is particularly important right now with what the community is experiencing during the COVID-19 pandemic, to provide that support to Nevada's medical community, and to fill those needs from a staffing perspective.

ELISA CAFFERATA (Director, Department of Employment, Training and Rehabilitation [DETR]):

This is a subgrant from DETR to Goodwill for workforce training programs. Goodwill is an existing workforce training partner of DETR. This program represents an expansion of an existing training program that has already begun to successfully place folks in the health care field into entry-level positions that are of high demand and high pay. It is a great beginning for the trainees to get started on their employment journey. They can get additional training in the future and move into different positions in the health care industry, which are highly needed.

This program recruits, trains and helps place disproportionately impacted populations into certified nursing assistant and medical assistant positions. The money will be used to pay for the training, assessment, and support services that the clients need, as well as one coach to support the trainees through their journey. The program will be sustained with existing workforce dollars moving forward.

ASSEMBLYWOMAN MONROE-MORENO:

I am excited about the program, but I have a question about the marketing. If DETR is requesting the funds be provided to Goodwill this month, why is the marketing of this program not anticipated until July?

LYNDA PARVEN (Administrator, Employment Security Division, DETR):

The terms of the contract are for July 1, 2022, through December 31, 2026.

ASSEMBLYWOMAN MONROE-MORENO:

DETR is estimating 175 graduates from this program. When will the graduates be ready and prepared to enter the job market?

MS. PARVEN:

It is anticipated that 25 candidates would be enrolled each month, or 75 per quarter. As the graduates finish their training, they will be ready to go to work.

ASSEMBLYWOMAN MONROE-MORENO:

Would DETR be willing to come back to the Committee to report quarterly on the number of candidates in the program and how the program is going?

MS. CAFFERATA:

Yes, we will provide those reports to the Committee.

ASSEMBLYWOMAN JAUREGUI:

What kind of salary or wages will the medical assistants and certified nursing assistants expect to earn after they complete the program?

MS. CAFFERATA:

The target earnings are between \$15 and \$18 per hour, plus overtime and shift differentials, which translates to about \$37,000 per year. These are entry-level positions in the health care industry. The trainees can get additional training through other workforce investment grants to continue to move up in the industry.

as they discover their interests. This is an existing partnership with Goodwill, and there is ongoing assistance and support for them to help their clients.

ASSEMBLYWOMAN JAUREGUI:

How long is the training program, and are there any costs incurred by the students?

MS. CAFFERATA:

The training program is 16 weeks. It is a very accelerated program. There is no cost to the participants. DETR is a partner in the training, so if students experience additional costs, such as needing work cards or Occupational Safety and Health Administration cards, DETR can support the participants in getting those as well.

ASSEMBLYWOMAN MONROE-MORENO:

Is there a requirement that the trainees stay in the state to work for a certain period after the training is completed?

MS. CAFFERATA:

DETR is not aware of any requirement for the trainees to stay in the state. We are working with Goodwill to target folks who represent the communities they are serving. That model builds in more incentive to stay and work in their own community and provide services to their neighbors and families. It is a successful community-based model. The trainees will have continued support to grow in their careers. We think it is a great model, and the people who complete these certificates are likely to stay in their communities.

SENATOR SEEVERS GANSERT:

Why is the funding being requested from ARPA nonprofit funds instead of from the millions of Workforce Investment dollars that are provided to the state by the federal government every year?

MS. CAFFERATA:

DETR receives a consistent amount of Workforce Investment dollars that are pre-obligated for existing workforce activities. This grant will allow DETR to ramp up this program in a shorter timeframe and provide additional services.

SENATOR SEEVERS GANSERT:

I appreciate the work program. I think DETR needs to be cautious about which buckets of funding it uses. The nonprofit bucket is limited. This is something DETR could be using other federal dollars to do. I heard what you said about those funds being obligated, but we need to have flexibility in the way those federal dollars are used to make sure they are being used in the most effective way.

Health care is a natural use for these dollars. I am sure we already use some federal dollars for health care. I want to make sure that when we bring these work programs forward, given the constraints of the ARPA dollars, we are using those dollars where we cannot use other dollars that we already have.

MS. BORTOLIN:

Senator Seevers Gansert makes a great point. It is incredibly important that we go for the highest and best use of the dollars, given how dollars can be utilized across the spectrum. It is informative for the Committee to know and understand from the Office of the Governor's process perspective that one of the most rewarding parts of going through all these applications has been redirecting folks to other funding opportunities as they exist throughout the state.

Dr. Woodard has worked very closely with everyone who has submitted applications for behavioral and mental health funds, directing them to other allocations specific to behavioral and mental health when necessary.

You will see in the coming months that the Office of the Governor is doing the same thing with food security. For example, the Office of the Governor has dollars going out that are specific to seniors. Some are great programs that are urgently needed for which the Office of the Governor has found a different funding source that can be used in a specialized way. Identifying other federal funding is absolutely part of the process.

CHAIR BROOKS:

Senator Seevers Gansert makes a great point. I want to make sure everyone is aware that the request for this initial funding for nonprofit agencies is just to move money within the same account for a purpose that the IFC approved a few months back.

There is nothing that says the Committee cannot approve more money for the nonprofits. As the need progresses and the situation changes, the Committee could make more allocations.

ASSEMBLYWOMAN TITUS:

It was mentioned earlier that people trust people that look like them and come from their community to provide health care. It is important that that health care is available in the communities, and that trainees stay in the community.

I understand the program will train 175 certified nursing assistants and medical assistants. Does DETR have an overall assessment of the number of certified nursing assistants and medical assistants that are needed to be trained to fill the needs of the state?

MS. CAFFERATA:

Nevada is underserved in every category relating to health care professionals. The work that DETR does to immediately start to address any of those needs will be a benefit to the state.

The Governor's Office of Workforce Innovation is reinvigorating its Industry Sector Councils. The health care sector council will put together an inventory of needs. There are guidelines from the national organizations as to how many nurses are required for each 100,000 people within a population. DETR will start looking at



the needs, gaps, and training that is available to determine which programs need to build.

In addition, the DBPH is looking at that specific question in detail around the area of public health. The A.B. 450 (2021 Legislative Session) Community College Workforce Training and Programs Committee is looking at the community colleges' role in workforce development. That committee is inventorying the classes, certificates, and programs of the community colleges to see what the needs are, and what could be added in that arena. There are a lot of efforts going on to quantify what is available, what the needs are, and making sure that DETR is addressing those gaps.

ASSEMBLYWOMAN TITUS:

When do you anticipate getting that report back? The State Office of Rural Health and Dr. John Packham of the University of Nevada, Reno, have already done a lot of information gathering. Will this be another study, or does DETR already have the information and needs to put it together?

MS. CAFFERATA:

DETR has a lot of information. It is a matter of putting the pieces together to get a gauge how many nurses are needed, how many training programs are available, how many students are in these programs, and what DETR needs to add to the programs.

The Community College Workforce Training and Programs Committee report is due to the Legislature in August. I am sure it will have actionable recommendations that DETR needs to take. I do not have a timeline for the Industry Sector Council, as it is just reconvening.

DETR will report back to the Committee as soon as it can with actionable next steps and not just studies.

ASSEMBLYWOMAN CARLTON MOVED TO APPROVE AGENDA  
ITEMS F.1.18 AND F.1.19.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE  
MEMBERS PRESENT.

**20. Department of Health and Human Services - Public and Behavioral Health - Health Care Facilities Regulation - FY 2022**

Addition of \$20,739,792 in federal American Rescue Plan Act (ARPA), State Fiscal Recovery Funds transferred from the COVID-19 Relief Programs account to support the Nurse Apprenticeship Program to aid staffing levels at facilities and provide opportunities for nursing students. Requires Interim Finance approval since the amount added to the ARPA Nurse Apprenticeship Program category

exceeds \$75,000. **RELATES TO ITEM F.1.21. Work Program #22FR321601. RECEIVED AFTER SUBMITTAL DEADLINE, 1-27-22.**

Agenda Items F.1.20 and F.1.21 were discussed jointly. Refer to discussion and motion for approval under Agenda Item F.1.21.

**21. Office of the Governor - COVID-19 Relief Programs - FY 2022**

Transfer of \$20,739,792 from the Reserves category to the American Rescue Plan Act (ARPA) Projects category to fund an allocation to the Division of Public and Behavioral health to support the Nurse Apprenticeship Program to aid staffing levels at facilities and provide opportunities for nursing students. Requires Interim Finance approval since the amount added to the ARPA Projects category exceeds \$75,000. **RELATES TO ITEM F.1.20. Work Program #22FR132713. RECEIVED AFTER SUBMITTAL DEADLINE, 1-27-22.**

Agenda Items F.1.20 and F.1.21 were discussed jointly.

LISA SHERYCH (Administrator, DPBH, DHHS):

This work program is seeking IFC approval for an additional \$20,739,792 from the American Rescue Plan Act Coronavirus State Fiscal Recovery Fund to support the Nurse Apprenticeship Program.

Nevada's Nurse Apprentice Program was an approved program by the Board of Nursing several years ago. However, with just over 900 nursing students in Nevada, only about one-third of students become nurse apprentices. The DHHS and the Nevada State Board of Nursing have partnered to address ways to maximize this program to address health care staffing shortages in a variety of health care settings, while also providing opportunities for nursing students to maximize the skills they have learned in support of career obtainment upon graduation and becoming licensed registered nurses. The apprentice program is a time-tested teaching and learning model that connects theory and practice in the workplace for nursing students.

ASSEMBLYWOMAN KASAMA:

My question is regarding the current Nurse Apprenticeship Program and the immediate need for additional nurses. How long does it currently take to get nurses through the system? Will the new funding speed up the training period?

MS. SHERYCH:

Each nursing program has a different timeframe. While the Nurse Apprenticeship Program would not necessarily speed up the coursework, it would allow for nursing students to start working in facilities sooner. There is an agreement between the facility and the nursing student that the student can work up to the level of skills they have completed in their coursework. While it does not expedite the time spent in school, it allows the facilities to hire nursing students to help with the nursing shortages they are experiencing.

ASSEMBLYWOMAN BENITEZ-THOMPSON:

This program is economic development at its best for an industry that needs it and for people who need it.

I see that the funds will be operated by a fiscal agent, and that an administrator will be managed by the Nevada Rural Hospital partners. Will that administrator be the fiscal agent that manages the funds?

MS. SHERYCH:

Yes, the Nevada Rural Hospital partner will be administering the program.

CHAIR BROOKS:

My question is about the need to request the funding over an entire three-year program period, as opposed to requesting start-up costs, and coming back to the Committee to assess what the funding needs are after that.

MS. SHERYCH:

Nevada needs long-term solutions. It is necessary to fund this program for the next three years given the periodic facility surges Nevada has faced over the past two years. There is no definitive way to determine when the nursing shortage will level out. Going beyond a three-month or six-month period seems to make the best sense for the program considering the nursing shortages that Nevada is facing.

CHAIR BROOKS:

How does this position work in conjunction with existing programs?

MS. SHERYCH:

I am not sure whether you mean with the programs within the facilities, or other programs in the community. Regarding the facilities, the nursing apprentices would work alongside other nurses. A supervising registered nurse guides the nurse apprentices' activities during their shift. Essentially, the nurse apprentices are an extension of the supervising registered nurse. The nurse apprentices would augment the services within the facilities.

CHAIR BROOKS:

Will the funds being requested supplant funding for the existing nurse apprenticeship program?

MS. SHERYCH:

I do not believe so. The nursing facilities and state-run facilities that will be using the program have not used the program in the past. It will be a new program for those facilities, and there is not currently a nurse apprentice that exists in those areas.

As it relates to critical access hospitals, these hospitals are reimbursed on a cost-based system by the Centers for Medicare & Medicaid Services (CMS). Per CMS instructions, funds provided by any grant would be listed on the cost report

under a line item for grants. The employed nurse apprentice would not be listed on the cost report, since they would be funded through a grant. Therefore, the cost of this program would not be captured on the cost report, nor funded at the cost-based reimbursement. There would not appear to be a concern regarding supplanting.

ASSEMBLYWOMAN CARLTON:

As I stated earlier, I am concerned that a number of these work programs were submitted past the deadline. This work program was really late – it came in on January 27, 2022. I do not believe Fiscal staff or anyone else had time to send out questions or get clarification. The only level of comfort is that this program has gone on before, and the Committee has asked some good questions about it. I would request, especially with this program, that the Committee get a report back from the division to understand how many nurses were in the program, where they did their apprenticeship, and what the program really did.

CHAIR BROOKS:

I understand the timing associated with the request. It was submitted late so that it could be reviewed in the February IFC meeting, rather than waiting for a future meeting, or scheduling an extra meeting just for the purpose of approving these work programs.

As a result, as Assemblywoman Carlton requested, the Committee will need some more follow-up information. If the Committee were to approve this work program, I would request that the division submit detailed reports at the end of each fiscal year, including program expenditures, how many additional apprenticeship positions have been created and at which facilities across the state.

ASSEMBLYWOMAN CARLTON MOVED TO APPROVE AGENDA ITEMS F.1.20 AND F.1.21, WITH A REQUEST THAT A REPORT IS PROVIDED TO THE COMMITTEE AT THE END OF EACH FISCAL YEAR REGARDING PROGRAM EXPENDITURES, THE NUMBER OF ADDITIONAL APPRENTICESHIP POSITIONS CREATED, AND THE LOCATIONS OF THE PROGRAMS.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

**2. ALL OTHER REQUESTS FOR APPROVAL OF GIFTS, GRANTS, WORK PROGRAM REVISIONS AND POSITION CHANGES.**

WAYNE THORLEY (Senate Fiscal Analyst, Fiscal Analysis Division, LCB):  
Agenda Item F.2 begins on page 201 of the Meeting Packet - Volume I ([Exhibit A](#)).

The following work programs have been identified for additional discussion: Agenda Items F.2.1, Office of the Governor, State Energy Office, which will be

discussed with Agenda Item L; F.2.39, Department of Tourism and Cultural Affairs (DTCA); F.2.40, DTCA; F.2.105, Department of Conservation and Natural Resources, Division of Outdoor Recreation; F.2.46, DHHS, Division of Aging and Disability Services; F.2.111, Public Employees' Benefits Program; F.2.113, DHHS, Division of Health Care Financing and Policy (DHCFP); F.2.114, DHHS, DCHFP; F.2.115, DHHS, DHCFP; F.2.116, DHHS, DHCFP; F.2.119, DHHS, DHCFP; F.2.120, DHHS, DHCFP; F.2.117, Department of Public Safety (DPS), Division of Parole and Probation (P&P); and F.2.118, DPS, P&P.

A work program revision request was received on February 3, 2022, for Agenda Item F.2.94, DPS, State Fire Marshal Division. The transfer from the Personnel category to the Equipment category has been revised from \$47,200 to \$50,528. Another work program revision request was received on February 8, 2022, for Agenda Item F.2.72, DHHS, Division of Welfare and Supportive Services, adding \$974,168 to the \$400,059 in federal Families First grant funds.

ASSEMBLYWOMAN BENITEZ-THOMPSON:

I would like Agenda Items F.2.109, Nevada Department of Veterans Services (NDVS), Southern Nevada Veterans Home Account; and F.2.110, NDVS, Northern Nevada Veterans Home Account pulled for additional discussion.

SENATOR GOICOCHEA:

I would like Agenda Item F.2.124, Department of Agriculture, Livestock Inspection pulled for additional discussion.

ASSEMBLYWOMAN TITUS:

I would like Agenda Items F.2.2, Office of the Governor, Office of Science, Innovation and Technology; F.2.50, DHHS, Health Care Financing and Policy; F.2.84 Department of Employment, Training and Rehabilitation, Employment Security Division; and F.2.119, DHHS, Health Care Financing and Policy pulled for additional discussion.

**1. Office of the Governor - State Energy Office - Account for Renewable Energy, Energy Efficiency and Energy Conservation - FY 2022**

Transfer of \$535,127 from the Reserve category to the Energy Programs category to fund electric vehicle charging station infrastructure at state office buildings and locations across the State of Nevada. Requires Interim Finance approval since the amount transferred to the Energy Programs category exceeds \$75,000. **RELATES TO AGENDA ITEM L. Work Program #C57703**

Agenda Item F.2.1 and Agenda Item L were discussed jointly. Refer to discussion and motion for approval under Agenda Item L.

**2. Office of the Governor - Office of Science, Innovation and Technology - FY 2022**

Addition of \$941,250 in federal American Rescue Plan Act (ARPA), Coronavirus Capital Projects funds for consulting services and a feasibility study that will provide for Nevada's statewide broadband connectivity strategy by

determining how to improve connectivity in communities across the state and how to best allocate federal broadband infrastructure funding. Requires Interim Finance approval since the amount added to the ARPA Capital Projects Fund Admin category exceeds \$75,000. **Work Program #22ARP10032**

ASSEMBLYWOMAN TITUS:

I have been commenting about the poor broadband and internet connectivity in rural Nevada and urban areas for many years now. The issue became very evident during the COVID-19 pandemic when shutdowns forced students to access the internet at home. The state needs to update its broadband services. The Committee has heard from the Office of the Governor, Office of Science, Innovation and Technology (OSIT) about how it is going to resolve this. I see on this agenda item that American Rescue Plan Act (ARPA) funds are going to be used for the project. It is frustrating that OSIT is proposing to spend almost \$1 million on feasibility and consultants. What is the timeline? Will there be change? Where is the need? I need more information, not more studies.

BRIAN MITCHELL (Director, OSIT, Office of the Governor):

The Governor's connectivity goal is to ensure universal access to high-speed broadband that is affordable, reliable, and scalable. OSIT does not want to leave anyone behind, and it needs to provide both infrastructure and digital equity support to meet that objective. The Governor's goal is achievable due to the assistance and advocacy of Nevada's Congressional Delegation, particularly Senators Catherine Cortez Masto and Jacky Rosen, which resulted in funding being made available through the ARPA Capital Projects Fund and the Infrastructure Investment and Jobs Act.

Today's work program has two essential parts that address your question. The first part is a request to use federal administrative dollars, which are not dollars from the Coronavirus State Fiscal Recovery Fund that the Committee considered earlier. These are administrative dollars from the Capital Projects Fund, which is a broadband-specific fund within the ARPA.

The first part of the request is to commission a study of Nevada's middle-mile network to identify gaps and present recommendations for enhancements. Middle-mile infrastructure is essential in OSIT's quest to deliver faster and more affordable last-mile service to those who need it, especially in rural areas. OSIT has a limited amount of funding available for this purpose. There are several different thought processes and equations to consider in order to spend the funding effectively. To draw down Nevada's share of the federal funds for middle-mile infrastructure, OSIT will need to present a comprehensive and well thought out plan to the U.S. Department of the Treasury. This middle-mile feasibility study OSIT wishes to commission is an essential part of making sure the plan Nevada submits is approved on its first submission.

The second part of the work program is to license and then map broadband serviceable locations for fabric data. This request would provide the state with the same proprietary data set that is used by the federal government when making its

funding decisions. This data set contains accurate broadband serviceable location coordinates that can be universally tied to other data attributes, like service availability, construction cost, and engineering economics that demand demographics.

The data that OSIT plans to license is crucial to planning its capital spending allocations and determining how to guide local stakeholders and broadband action teams to identify the types of projects that are more likely to be funded by the federal government. OSIT will also be able to create very granular public-facing maps to communicate with stakeholders and develop designs and cost models so that when it deploys infrastructure, it is done in the areas that are most in need of services and in a way that is most cost effective.

I agree there is a need to start digging and putting infrastructure in the ground, but with both the Capital Projects Fund and the Infrastructure Investment and Jobs Act Fund, the U.S. Department of the Treasury and the National Telecommunications and Information Administration (NTIA) are requiring OSIT to develop some very specific plans. This work program will provide OSIT with the tools to make those plans as effective as possible.

ASSEMBLYWOMAN TITUS:

What happened to all the plans we had in the past? This has been discussed for a long time. Does OSIT not have a template already? Does it not know where there is a void in what is needed? If OSIT does not, what is the timeline by which the plans must be submitted? Maybe OSIT could start laying some cable and putting up some towers and actually fixing the problem, not just always planning how to fix the problem.

MR. MITCHELL:

The timeline for the infrastructure funding that is coming from the NTIA is reliant on the completion of the Federal Communication Commission's (FCC) new data fabric map. When Congress passed the legislation, the funding allocations that every state would receive were based on the completion of the FCC's new map. OSIT does not know how much money it is going to receive yet, because the FCC has not finished the map. It is anticipated that the map will be done sometime this fall.

Because OSIT does not have the money yet, it cannot put any infrastructure in the ground. Rather than waiting for the NTIA to notify OSIT of its funding allocation once the FCC completes its map, OSIT has determined that the best course of action for Nevada is to license the same data that the FCC is using to create its new map. From there, OSIT will be able to determine the locations that are eligible for funding in advance of receiving its funding allocations. Then, as soon as OSIT receives the notification to move forward, it can submit its plan and have it approved in short order, as opposed to having to wait until the federal map has been published to begin planning.

The data that OSIT hopes to license is significantly more comprehensive than what

will be in the FCC's public-facing map. The other benefit to starting now is that OSIT can identify any holes in the map where the data that the FCC is using describes an area in rural Nevada as served when the area does not have service. OSIT will then have time to build a case to challenge the map, and to communicate with real data that a certain area is not served, and that Nevada's funding allocation should be higher. There are several advantages to planning now and being in a position to make the right funding decision when the funding becomes available.

ASSEMBLYWOMAN TITUS:

Thank you for the information on how the money is being spent. The Committee is looking forward to some resolution.

CHAIR BROOKS:

This funding will be used to modernize the way that the state communicates using federal funds accepted by OSIT in addition to state funding. Is that correct?

MR. MITCHELL:

That is correct. OSIT's goal is to make a lasting investment using these federal funds which the state will be able to leverage for years to come. Upon the expiration of these funds, OSIT does not want to come back to the Committee in five or ten years to say that it does not have the infrastructure to provide telemedicine or to allow citizens to access government services from home, or even stay in touch with family and friends, if there is another pandemic situation.

This is about creating the kind of infrastructure needed for economic development, education, and telehealth for the next 30 to 40 years.

CHAIR BROOKS:

This is a federal investment to modernize state infrastructure with ongoing state funds that will benefit rural parts of Nevada and connect people within the state.

ASSEMBLYWOMAN TITUS:

This infrastructure helps all Nevadans in Northern and Southern Nevada.

ASSEMBLYWOMAN TITUS MOVED TO APPROVE  
AGENDA ITEM F.2.2.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE  
MEMBERS PRESENT.

3. **Office of the Governor - Governor's Office of Finance - SMART 21 - FY 2022**  
Transfer of \$248,902 from the Personnel category to the Intermittent Employee category to fund Human Resources staff supporting the implementation of SuccessFactors and provide support of the legacy human resources system until it is retired. Requires Interim Finance approval since the amount transferred to the Intermittent Employee category exceeds \$75,000. **Work Program #C57517**



Refer to motion for approval under Agenda Item F.1.

**4. Office of the Governor - Governor's Office of Finance - Special Appropriations - FY 2022**

Addition of \$51,469 in Prior Year Refunds revenue to recognize the return of unspent funds from Washoe County issued through Assembly Bill 345 (2019 Legislative Session). Requires Interim Finance approval since the amount added to the Reserve for Reversion category exceeds 10% of legislatively approved amount for that category. **Work Program #C57637**

Refer to motion for approval under Agenda Item F.1.

**5. Office of the Attorney General - Medicaid Fraud - FY 2022**

Deletion of \$82,130 in federal Title XIX Receipts revenue, and transfer of \$27,761 from the Reserve category to the Out-of-State Travel category, \$21,483 from the Reserve category to the In-State Travel category, \$73,910 from the Reserve category to the Operating category, \$4,732 from the Reserve category to the Litigation category, and \$42,804 from the Reserve category to the Information Services category to fund an additional Senior Deputy Attorney General position and continue investigation and prosecution of medical provider fraud. Requires Interim Finance approval since the amount transferred to the Operating category exceeds 10% of the legislatively approved amount for that category. **RELATES TO ITEM F.6. Work Program #C57260**

Refer to motion for approval under Agenda Item F.1.

**6. Office of the Attorney General - Medicaid Fraud - FY 2023**

Transfer of \$153,318 from the Reserve category to the Personnel category to fund costs associated with the addition of a new position added in Fiscal Year 2022. Requires Interim Finance approval since the amount added to the Personnel category exceeds \$75,000. **RELATES TO ITEM F.2.5. Work Program #C57889**

Refer to motion for approval under Agenda Item F.1.

**7. Office of the Attorney General - Attorney General Tort Claims Fund - FY 2022**

Transfer of \$732,811 from the Reserve category to the General/Fleet Tort Claims category to fund a projected shortfall for the remainder of the fiscal year. Requires Interim Finance approval since the amount transferred to the General/Fleet Tort Claims category exceeds \$75,000. **Work Program #C57786**

Refer to motion for approval under Agenda Item F.1.

**8. Department of Administration - Enterprise Information Technology Services - Office of the Chief Information Officer - FY 2022**

Addition of \$60,000 in federal Homeland Security Grant Program funds transferred from the Office of the Military, Division of Emergency Management, to fund the creation of a cyber tool tracking system that captures the state's portfolio of cybersecurity tools. Requires Interim Finance approval since the amount added to

the Cyber Security Capabilities category exceeds 10% of the legislatively approved amount for that category. **Work Program #C57719**

Refer to motion for approval under Agenda Item F.1.

**9. Department of Administration - Enterprise Information Technology Services - Computer Facility - FY 2022**

Addition of \$60,000 in federal Homeland Security Grant Program funds transferred from the Office of the Military, Division of Emergency Management, to fund an upgrade of the cryptology on equipment which encrypts internet-bound data. Requires Interim Finance approval since the amount added to the Cyber Security Capabilities category exceeds 10% of the legislatively approved amount for that category. **Work Program #C57698**

Refer to motion for approval under Agenda Item F.1.

**10. Department of Administration - Fleet Services Division - FY 2022**

Transfer of \$508,030 from the Reserve category to the Vehicle Operations category to fund a projected shortfall due to rising fuel, vehicle maintenance and vehicle repair costs. Requires Interim Finance approval since the amount transferred to the Vehicle Operations category exceeds \$75,000. **Work Program #C57675**

Refer to motion for approval under Agenda Item F.1.

**11. Department of Administration - Nevada State Library, Archives and Public Records - Archives and Public Records - FY 2022**

Addition of \$8,063 transferred from the Office of the Treasurer's Higher Education Tuition Administration budget, \$38,900 in Court Assessments transferred from Peace Officers Standards Training, and \$47,570 in License Plate Charges transferred from the Gift Account for Veterans to fund expansion costs of the OnBase Retrieval system, an electronic content management system. Requires Interim Finance approval since the amount added to the Information Services category exceeds \$75,000. **Work Program #C57066**

Refer to motion for approval under Agenda Item F.1.

**12. Cannabis Compliance Board - Marijuana Regulation and Control Account - FY 2022**

Transfer of \$43,171 from the Reserve category to the Equipment category, transfer of \$4,231 from the Reserve category to the Uniforms category, transfer of \$360 from the Reserve category to the Information Services category, and transfer of \$1,603 from the Reserve category to the Staff Physicals category to fund uniforms, medical evaluations, and protective equipment for peace officers. Requires Interim Finance approval since the cumulative amount transferred to the Equipment category exceeds \$75,000. **Work Program #C56799**

Refer to motion for approval under Agenda Item F.1.

- 13. Department of Education - Gear Up - FY 2022**  
Addition of \$280,062 in federal Gear Up grant funds to continue assisting students who are economically disadvantaged to enter and succeed in postsecondary education. Requires Interim Finance approval since the amount added to the Gear Up Aid to Schools category exceeds \$75,000. **Work Program #C57687**

Refer to motion for approval under Agenda Item F.1.

- 14. Department of Education - Office of Early Learning and Development - FY 2023**

Transfer of \$92,064 from the Child Care and Development Fund (CCDF) Quality Admin category to the Personnel category, \$289 from the CCDF Quality Admin category to the Operating category, and \$555 from the CCDF Quality Admin category to the Information Services category to fund a new Management Analyst 2 position to support the fiscal requirements of a subgrant from the Department of Health and Human Services, Division of Welfare and Supportive Services. Requires Interim Finance approval since the amount transferred to the Personnel category exceeds \$75,000. **Work Program #C57369**

Refer to motion for approval under Agenda Item F.1.

- 15. Department of Education - Student and School Support - FY 2022**

Addition of \$213,402 in federal Migrant Consortium Incentive grant funds to continue providing technical assistance and financial support to improve the educational opportunities and academic success of migrant children, youth, agricultural workers, and their families. Requires Interim Finance approval since the amount added to the Migrant Education Administration category exceeds \$75,000. **Work Program #C57658**

Refer to motion for approval under Agenda Item F.1.

- 16. Department of Education - Student and School Support - FY 2022**

Addition of \$61,786,079 in federal Title I grants to Local Education Agencies grant funds to continue providing assistance to schools with high percentages of children from low-income families. Requires Interim Finance approval since the amount added to the Title I Basic Aid to Schools category exceeds \$75,000. **Work Program #C57665**

Refer to motion for approval under Agenda Item F.1.

- 17. Department of Education - Student and School Support - FY 2022**

Addition of \$1,009,456 in federal Neglected and Delinquent Child grant funds to continue providing supplemental support to eligible students enrolled in educational programs at state-operated facilities. Requires Interim Finance approval since the amount added to the Neglect/Delinquent Aid category exceeds \$75,000. **Work Program #C57669**

Refer to motion for approval under Agenda Item F.1.

**18. Department of Education - Student and School Support - FY 2022**

Addition of \$34,794 in federal Rural and Low-Income Schools grant funds to continue providing support to eligible rural districts with financial assistance for initiatives aimed at improving student achievement. Requires Interim Finance approval since the amount added to the Rural and Low-Income Aid to Schools category exceeds 10% of the legislatively approved amount for that category. **Work Program #C57692**

Refer to motion for approval under Agenda Item F.1.

**19. Department of Education - Student and School Support - FY 2022**

Addition of \$4,410,599 in federal English Language Acquisition grant funds to continue providing support to help children and youth learn English. Requires Interim Finance approval since the amount added to the English Language Acquisition Aid to Schools category exceeds \$75,000. **Work Program #C57763**

Refer to motion for approval under Agenda Item F.1.

**20. Department of Education - Student and School Support - FY 2022**

Addition of \$9,023,245 in federal Student Support and Academic Enrichment grant funds to continue to provide support for districts to improve student's academic achievement through access to a well-rounded education, improve school conditions for student learning, and improve the use of technology to improve the academic achievement and digital literacy for all students. Requires Interim Finance approval since the amount added to the Title IV - A Well - Rounded Aid to Schools category exceeds \$75,000. **Work Program #C57764**

Refer to motion for approval under Agenda Item F.1.

**21. Department of Education - Continuing Education - FY 2022**

Addition of \$450,596 in federal Adult Education State Grant Program funds to continue providing support for educational and community-based organizations that help adults acquire basic skills including reading, writing, math, English language proficiency and problem solving. Requires Interim Finance approval since the amount added to the Adult Basic Education - Aid to Schools category exceeds \$75,000. **Work Program #C57712**

Refer to motion for approval under Agenda Item F.1.

**22. Department of Education - Individuals with Disabilities Act (IDEA) - FY 2022**

Addition of \$2,825,282 in federal Individuals with Disabilities Education Act - Special Education grant funds to continue providing special education and related services to children with disabilities. Requires Interim Finance approval since the amount added to the Special Education Aid to Schools category exceeds \$75,000. **Work Program #C57769**

Refer to motion for approval under Agenda Item F.1.

- 23. Department of Education - Individuals with Disabilities Act (IDEA) - FY 2022**  
Addition of \$1,322,320 in federal Individuals with Disabilities Education Act Special Education - Preschool grant funds to continue providing support for children with disabilities ages three to five. Requires Interim Finance approval since the amount added to the Early Childhood Aid to Schools category exceeds \$75,000. **Work Program #C57770**

Refer to motion for approval under Agenda Item F.1.

- 24. State Public Charter School Authority - FY 2022**  
Addition of \$106,250 in federal Coronavirus Response and Relief Supplemental Appropriations Act, Elementary and Secondary School Emergency Relief (ESSER) funds transferred from the Nevada Department of Education to provide for expanded multi-tiered systems of support services to sponsored charter schools. Requires Interim Finance approval since the amount added to the ESSER II category exceeds \$75,000. **Work Program #C57798. WITHDRAWN 1-20-22.**

Refer to motion for approval under Agenda Item F.1.

- 25. State Public Charter School Authority - Public Charter School Loan Program - FY 2022**  
Transfer of \$124,000 from the Reserve category to the Charter School Loan category to fund a loan to assist with start-up costs for Battle Born Academy, a newly sponsored charter school. Requires Interim Finance approval since the amount transferred to the Charter School Loan category exceeds \$75,000. **Work Program #C57785**

Refer to motion for approval under Agenda Item F.1.

- 26. Department of Agriculture - Agriculture Registration and Enforcement - FY 2022**  
Transfer of \$22,763 from the Reserve category to the Pesticide Disposal Fund category to support an increase in services for pesticide disposal. Requires Interim Finance approval since the amount transferred to the Pesticide Disposal Fund category exceeds 10% of the legislatively approved amount for that category. **Work Program #C57614**

Refer to motion for approval under Agenda Item F.1.

- 27. Department of Agriculture - Agriculture Registration and Enforcement - FY 2022**  
Transfer of \$50,787 from the Reserve category to the Operating category to fund preventative maintenance and onsite training for the mass spectrometer. Requires Interim Finance approval since the cumulative amount transferred to the Operating category exceeds \$75,000. **Work Program #C57752**

Refer to motion for approval under Agenda Item F.1.

**28. Department of Agriculture - Agriculture Registration and Enforcement - FY 2022**

Transfer of \$57,972 from the Reserve category to the Operating category to fund an operating shortfall through the remainder of the fiscal year. Requires Interim Finance approval since the cumulative amount transferred to the Operating category exceeds \$75,000. **Work Program #C57754**

Refer to motion for approval under Agenda Item F.1.

**29. Department of Agriculture - Nutrition Education Programs - FY 2022**

Addition of \$23,061,229 in federal National School Lunch Program (NSLP) grant funds to support an increase in NSLP expenditures. Requires Interim Finance approval since the amount added to the National School Lunch Program category exceeds \$75,000. **Work Program #C57789**

Refer to motion for approval under Agenda Item F.1.

**30. Department of Agriculture - Commodity Foods Distribution Program - FY 2022**

Transfer of \$138,006 from the Reserve category to the Information Services category to fund ongoing maintenance costs for the meal claim processing system. Requires Interim Finance approval since the amount transferred to the Information Services category exceeds \$75,000. **Work Program #C57796**

Refer to motion for approval under Agenda Item F.1.

**31. Department of Business and Industry - Division of Industrial Relations - FY 2022**

Transfer of \$172,776 from the Personnel category to the Digitization Project category to support digitization conversion to reduce paper waste and increase efficiency. Requires Interim Finance approval since the amount transferred to the Digitization Project category exceeds \$75,000. **Work Program #C57671**

Refer to motion for approval under Agenda Item F.1.

**32. Department of Business and Industry - Division of Industrial Relations - Occupational Safety and Health Enforcement - FY 2022**

Transfer of \$259,803 from the Personnel category to the Digitization Project category to support digitization conversion to reduce paper waste and increase efficiency. Requires Interim Finance approval since the amount transferred to the Digitization Project category exceeds \$75,000. **Work Program #C57647**

Refer to motion for approval under Agenda Item F.1.

**33. Department of Business and Industry - Division of Industrial Relations - Occupational Safety and Health Enforcement - FY 2023**

Addition of \$164,187 in Workers Compensation and Safety Fund revenue to support a digitization conversion project to reduce paper waste and increase digital

efficiency. Requires Interim Finance approval since the amount added to the Digitization Project category exceeds \$75,000. **Work Program #C57873**

Refer to motion for approval under Agenda Item F.1.

**34. Department of Business and Industry - Division of Industrial Relations - Safety Consultation and Training - FY 2022**

Transfer of \$7,443 from the Personnel category to the In-State Travel category to fund travel for the Occupational Safety and Health Administration (OSHA) Voluntary Protection Program audits in compliance and effort with the federal OSHA 23(g) grant to prevent workplace injuries and illnesses through hazard prevention and control. Requires Interim Finance approval since the cumulative amount transferred from the Personnel category exceeds \$75,000. **Work Program #C57340**

Refer to motion for approval under Agenda Item F.1.

**35. Department of Business and Industry - Division of Industrial Relations - Safety Consultation and Training - FY 2022**

Transfer of \$10,533 from the Personnel category to the Training category to support training of safety processes under the Occupational Health and Safety Administration. Requires Interim Finance approval since the cumulative amount transferred from the Personnel category exceeds \$75,000. **Work Program #C57693**

Refer to motion for approval under Agenda Item F.1.

**36. Department of Business and Industry - Division of Industrial Relations - Safety Consultation and Training - FY 2023**

Addition of \$61,389 in Workers Compensation and Safety Fund revenue to support a digitization conversion project to reduce paper waste and increase digital efficiency. Requires Interim Finance approval since the amount added to the Digitization Project category exceeds 10% of the legislatively approved amount for that category. **Work Program #C57874**

Refer to motion for approval under Agenda Item F.1.

**37. Department of Business and Industry - Division of Industrial Relations - Mine Safety and Training - FY 2023**

Addition of \$33,948 in Workers Compensation and Safety Fund revenue to support a digitization conversion project to reduce paper waste and increase digital efficiency. Requires Interim Finance approval since the amount added to the Digitization Project category exceeds 10% of the legislatively approved amount for that category. **Work Program #C57875**

Refer to motion for approval under Agenda Item F.1.

**38. Governor's Office of Economic Development - Workforce Innovations for a New Nevada Account - FY 2022**

Transfer of \$3,149,322 from the Reserve category to the Reserve for Reversion category to revert unused General Fund per Senate Bill 24 (2021 Legislative Session). Requires Interim Finance approval since the amount transferred to the Reserve for Reversion category exceeds \$75,000. **Work Program #C57350**

Refer to motion for approval under Agenda Item F.1.

**39. Department of Tourism and Cultural Affairs - Division of Tourism - Tourism Development Fund - FY 2022**

Addition of \$9,256,020 in Lodging Tax revenue to support the expansion of marketing efforts to encourage visitation to Nevada. Requires Interim Finance approval since the amount added to the Promotion and Advertising category exceeds \$75,000. **Work Program #C57766**

Agenda Items F.2.39, F.2.40 and F.2.105 were discussed jointly. Refer to discussion and motion for approval under Agenda Item F.2.105.

**40. Department of Tourism and Cultural Affairs - Division of Tourism - Tourism Development Fund - FY 2022**

Addition of \$13,553,863 in federal American Rescue Plan Act (ARPA) for Economic Development Administration (EDA) grant funds to support travel, tourism, and outdoor recreation sectors. Requires Interim Finance approval since the amount added to the EDA ARPA Grant category exceeds \$75,000. **RELATES TO ITEM F.2.105. Work Program #22ARP1522**

Agenda Items F.2.39, F.2.40 and F.2.105 were discussed jointly. Refer to motion for approval under Agenda Item F.2.105.

**41. Department of Tourism and Cultural Affairs - Division of Museums and History - FY 2022**

Addition of \$3,000,000 in Conservation and Resource Bond Program funds pursuant to Assembly Bill 492 (2021 Legislative Session) for various conservation and resource projects, outdoor recreational improvements, and cultural resource projects. Requires Interim Finance approval since the amount added to the Construction Planning and Administration category exceeds \$75,000. **Work Program #C56917**

Refer to motion for approval under Agenda Item F.1.

**42. Department of Health and Human Services - Director's Office - Grants Management Unit - FY 2022**

Addition of \$1,008,564 in federal Community Services Block Grant (CSBG) funds to continue providing subgrants to promote economic self-sufficiency, family stability and community revitalization to needy families. Requires Interim Finance approval since the amount added to the CSBG Grants category exceeds \$75,000. **Work Program #C57569**



Refer to motion for approval under Agenda Item F.1.

**43. Department of Health and Human Services - Director's Office - Grants Management Unit - FY 2022**

Addition of \$533,842 in federal National Initiative to Address COVID-19 Health Disparities Among Populations at High-Risk and Underserved Populations grant funds transferred from the Chronic Disease account to provide a health disparity marketing campaign and clinical oversight for administration of onsite COVID tests in churches. Requires Interim Finance approval since the amount added to the Health Disparity Minority Health category exceeds \$75,000. **Work Program #C57666**

Refer to motion for approval under Agenda Item F.1.

**44. Department of Health and Human Services - Aging and Disability Services - Home and Community-Based Services - FY 2022**

Transfer of \$78,552 from the Personnel category to the Operating category to fund three temporary contract employees through the remainder of the fiscal year. Requires Interim Finance approval since the amount transferred to the Operating category exceeds \$75,000. **Work Program #C57567**

Refer to motion for approval under Agenda Item F.1.

**45. Department of Health and Human Services - Aging and Disability Services - Home and Community-Based Services - FY 2022**

Addition of \$75,000 in Truckee Meadows Tomorrow private grant funds to support the development of professional standards and certification for Resource and Service Navigators under Nevada's No Wrong Door System, Nevada Care Connection. Requires Interim Finance approval since the amount added to the Project Hello category exceeds 10% of the legislatively approved amount for that category. **Work Program #C57588**

Refer to motion for approval under Agenda Item F.1.

**46. Department of Health and Human Services - Aging and Disability Services - Desert Regional Center - FY 2022**

Transfer of \$334,722 from the Jobs and Day Training category to the Fencing Project category to fund the design and construction of a perimeter security fencing and shade structure at Desert Regional Center. Requires Interim Finance approval since the amount transferred to the Fencing Project category exceeds \$75,000. **Work Program #C55952**

JEFF HAAG (Deputy Administrator, Aging and Disability Services Division, Department of Health and Human Services [DHHS]):

This work program is a result of federal funding that was identified for the fencing project early in the COVID-19 pandemic that fell through.

The DHHS Aging and Disability Services Division (ADSD) anticipates substantial

savings within the Jobs and Day Training category, allowing for a request to transfer savings to pay for an outdoor improvement project for the intermediate care facility, which is a residential facility operated by the Desert Regional Center at the Southern Nevada Adult Mental Health campus. This is phase one of a two-phase project that will improve the outdoor living space of the campus to allow residents to spend more time outside and to mitigate the spread of COVID-19 in the indoor environment that residents were adversely confined to over the course of the pandemic.

This transfer from the Jobs and Day Training category will not result in a diminishment of Jobs and Day Training (JDT) services for residents. It is unfortunate that the division has a staffing and provider shortage that is driving the savings in this category. Even with this transfer, there will be adequate funds to serve any constituent who needs JDT services over the course of the fiscal year.

ASSEMBLYWOMAN GORELOW:

Please discuss the plan to fund construction of the shade structure and fencing project and whether budgetary savings in FY 2023 will be insufficient.

MR. HAAG:

Based on historical revenue projections in this category, the division anticipates more than adequate funding. I appreciate the opportunity to describe the enhancement to the campus, as it goes well beyond the fences and shade structure outlined in the summary.

This project will provide opportunity for the residents of the intermediate care facilities to enjoy the totality of the campus in a safe and secure manner. It will create outdoor environments for activities and allow residents to enjoy outdoor activities again in a more safe and protected manner than what currently exists.

This is phase one of a two-phase project. Once projections are realized next fiscal year, the division anticipates coming back to the Committee to ask for the remainder of the funding, which is expected to be roughly \$2 million. At this point, the project is anticipated to be completed early in calendar year 2023.

SENATOR HARRIS:

Please discuss the agency's plan to fund the construction of the shade structure and fencing project if budgetary savings in FY 2023 are insufficient.

MR. HAAG:

At this point, the project will not continue until adequate savings have been identified and the appropriate work program has been approved by the Committee.

If approved, this work program would provide funding for construction documents and work that has been completed to date in the project's design phase. The division is ready to move forward with this work but will not do so until adequate savings have been identified and the proper approvals have been achieved.

SENATOR HARRIS:

Why is it necessary to fund this project during the 2021-23 biennium, and what would be the consequences if the project were delayed and considered as part of the 2023-25 biennium budget?

MR. HAAG:

As the Committee knows, the state is still fighting the current pandemic. The population residing in this facility continues to be adversely impacted by the pandemic. Without this project, residents are unnaturally confined to an indoor space and are not able to access the outdoor living areas available on the campus.

As a result of being confined to the indoor spaces for a disproportionate amount of time, there was an increased spread of COVID-19 within the facility. This project will serve as a significant mitigation effort as the division works to respond to the current pandemic and ensure that it is prepared for future pandemics.

ASSEMBLYWOMAN CARLTON:

Has the design work been completed?

MR. HAAG:

Yes.

ASSEMBLYWOMAN CARLTON:

If my recollection is correct, this project was included in the DHHS CIP request for the 2021 budget cycle, but the Governor decided not to include it in his request. Is that correct?

MR. HAAG:

Yes, that is correct.

ASSEMBLYWOMAN CARLTON:

How was the design of the project paid for?

MR. HAAG:

The work was performed with the understanding that it would be paid for with federal funding. Unfortunately, after the work had begun, the division was told by a federal entity that the funding could not be used for this purpose. The design phase will be paid for as a result of this work program.

ASSEMBLYWOMAN CARLTON:

Has the money already been spent?

MR. HAAG:

Yes.

ASSEMBLYWOMAN CARLTON:

I think this is a very worthy project. My concern is that last legislative session, the division started a new program with the CIP, allowing the use of savings from

different projects for other maintenance projects. It seems to me that this circumvents the new policy.

Ultimately, the division owes the amount for the design of the project right now. But there is still a lot more money that needs to be spent to be able to complete this. This request was not presented during the 2021 Legislative Session, so the Legislature never had a chance to vet it. I am always cautious when vacancy savings are used to cover costs. I have concerns about moving forward with this item.

ASSEMBLYWOMAN TITUS:

The division has already spent this money. How did the division do so if it did not receive the necessary funding?

MR. HAAG:

The work has been done. The approval of the work program will allow the division to pay the vendor for the work that has been done, but it does not obligate the division to any future work.

ASSEMBLYWOMAN TITUS:

What happens if the Committee does not approve this work program? Will the division not be able to pay what it has already authorized?

MR. HAAG:

That is correct.

ASSEMBLYWOMAN CARLTON:

Is it correct that the project was to be paid for with federal dollars before the division's federal partners backed out?

MR. HAAG:

That is correct. The division had worked with its colleague at DPBH early in the pandemic to determine if this project could be funded with Epidemiology and Laboratory Capacity (ELC) funding through the Centers for Disease Control and Prevention (CDC). The division felt that this project fit very well within the COVID-19 mitigation guidelines that the CDC provided. Unfortunately, it was not until well after work began that the division heard back from the CDC that the project would not be funded by this source.

ASSEMBLYWOMAN CARLTON:

It is frustrating that the Committee has been put in the position of denying a vendor payment for work that has already been completed, resulting in the division being in possession of a design document with no real commitment that the project will ever go forward. The Committee has been put in an awkward position. I do not want to support this moving forward, but do not want to penalize a vendor who worked in good faith to get this done.

I would like to hold onto this for a little bit, and if it is possible, I would like to talk to

the Department of Administration, State Public Works Division (SPWD) about using savings in the new maintenance project toward this. This is more complicated than it appears. I am not sure how to approach this, but I feel very strongly that the vendor should be paid.

JULIA PEEK (Deputy Administrator, DPBH, DHHS):

As the Committee is aware, the state received a good amount of ELC funding throughout the pandemic. One of the biggest challenges is that state agencies received the notice of grant award before receiving guidance, or these things were received simultaneously. That meant state agencies had the funds and were expected to report on spending and success in real time as the work plans for the grants were developed.

This never happens. The DPBH typically applies for a grant, then the CDC approves or disapproves the line items prior to giving the notice of grant award. The division was, for all intents and purposes, building the plane while in flight.

One of the things that the division did initially was reach out to its sister agencies with information about the project's scope to ask if the project would be appropriate for the funding. For this specific project, the grant indicated the division could use the funds for building modifications for high-risk settings. The division already had outbreaks in these settings, and knew these settings were high risk. To reduce the census within these high-risk settings, the division offered a suggestion to move living space outdoors. The division thought the project would qualify as a good use of dollars under that scope. This is not the only project that the division put forward in this vein.

The CDC took months to review the project's work plan. The DPBH determined that the design was appropriate, but the construction phase of the project would need to wait for approval. The ADSD and SPWD were working with that assumption as well. It is a difficult situation to be put in - the CDC as well - because the state was asked to spend money and report on deliverables in real time while waiting for approval.

CHAIR BROOKS:

The design has been done. Has the vendor been paid? If so, would this leave a budget hole for ADSD for the amount that the vendor was paid?

MR. HAAG:

As of today, the vendor has not been paid. If the work program is approved, payment to the vendor would not create any shortfall for the division.

CHAIR BROOKS:

But if the vendor is paid, would it create a shortfall for the division?

MR. HAAG:

This work program is being proposed to be paid out of the Jobs and Day Training category. Even with approval of this work program, the division is anticipating

reversion in this category of millions of dollars.

CHAIR BROOKS:

If the work program is not approved, the vendor still needs to be paid. That would come out of the ADSD budget, which then would leave a budget shortfall for that amount. What would be the scenario if the work program were not approved?

MR. HAAG:

If this work program is not approved, then the vendor has performed work that the division is unable to compensate them for.

CHAIR BROOKS:

That is not the way that I understand contracts to work. It is not the vendor's problem to determine where the division's funding comes from. I am sure that the division has a contract in place with the vendor for services rendered, and that needs to be paid. Is that correct?

MR. HAAG:

The contract with this vendor is held through the SPWD. The division works through the SPWD on this project. I would assume the SPWD would be obligated to realize these expenses, but I would have to circle back with them to confirm.

ASSEMBLYWOMAN CARLTON:

The work has been done. How much is actually owed?

ROBIN HAGER (Administrative Services Officer 4, ADSD, DHHS):

To date, the division has spent \$85,693.32 on this project. That is what is owed to the vendor today and would be the bare minimum that the division would need approved through the work program to pay the vendor.

ASSEMBLYWOMAN CARLTON:

So that the record is clear, the division does not owe the full \$334,000 at this time. The current amount that is owed is \$85,693.32. Is this correct?

MS. HAGER:

A document provided by the SPWD states that as of December 31, 2021, the division owed \$85,693.32. To my understanding, no additional work has been done on this project because the division knew there was no funding approved for it.

DANIEL MARLOW (Administrator, Administrative Services Division, Department of Administration):

The Administrative Services Division considers this to be an agency project within the CIP. The payments and obligations due for state agency projects are not processed through the CIP under the SPWD. Payments due are transferred to the agency and paid directly from the agency's account.

ASSEMBLYWOMAN CARLTON:

A little less than \$86,000 is owed. I do not think the state should ever back out on money that is owed. As the body that appropriates money, the Committee will have to stand behind the decision to incur the cost. I would still be curious if the \$86,000 could be absorbed within the new maintenance system.

I believe the ADSD would pay \$86,000. I do not know why it would pay \$343,000 if it does not owe that amount.

CHAIR BROOKS:

Has there been any conversation as to whether this project would qualify under other federal relief funding to the state, such ARPA funds or flexible funds, or though targeted and structured funds that have come into the division?

MR. HAAG:

The division has not explored any other funding. The ELC was the appropriate funding stream identified early in the pandemic as a viable resource. Based on feedback from the Committee, the division is happy to take this item back and reevaluate the ability to leverage CIP dollars with the SPWD or explore other federal funding that may be applicable to this project.

CHAIR BROOKS:

I understand the scenario we find ourselves in today. The Committee has made decisions, and then guidance came back that was different from the decisions the Committee made. Therefore, the Committee had to reverse some of its decisions through the budgeting process.

I do not know that the Committee wants to fund CIP projects - that were not even submitted in the CIP budget - with savings that would have reverted to the General Fund. That would not set the best precedent. I would be comfortable moving forward with a motion that would address the money spent, then discuss and research a bit more how to go forward with this project.

SENATOR DONDERO LOOP:

Is \$85,693.32 the amount due as of January 2021?

MR. HAAG:

The \$85,693.32 was the amount due as of December 2021.

ASSEMBLYWOMAN CARLTON MOVED TO APPROVE  
AGENDA ITEM F.2.46 WITH \$85,693.32 APPROVED FOR  
VENDOR COSTS.

SENATOR DENIS SECONDED THE MOTION.

ASSEMBLYWOMAN CARLTON:

I would instruct the division to seek other funding options for this project. I think this project is worthwhile. Anything that can be done at the Desert Regional Center

is a positive step forward, but the Committee must be careful about how it funds things and the precedent it sets moving forward. I am always cautious about using vacancy savings because that funding is meant for jobs. I understand it is hard to hire people right now. I want to make sure that the vendor gets paid. I would love to see the project go forward, but I think there will be other opportunities to fund it in the future.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

CHAIR BROOKS:

Because the dollar amount stated in the motion included cents and the IFC only considers whole dollar amounts, the motion must be reconsidered.

SENATOR DONDERO LOOP MOVED TO RECONSIDER THE VOTE ON AGENDA ITEM F.2.46.

ASSEMBLYMAN ROBERTS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

CHAIR BROOKS:

I would like a motion to approve the item with a dollar amount of \$85,694.

ASSEMBLYWOMAN CARLTON MOVED TO APPROVE AGENDA ITEM F.2.46 WITH \$85,694 APPROVED FOR VENDOR COSTS.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

**47. Department of Health and Human Services - Health Care Financing and Policy - Health Care Financing and Policy Administration - FY 2022**

Transfer of \$388,278 from the Reserve for Resident Protection category to the Civil Monetary Penalty Payments category to continue funding the Reducing Falls with Artificial Intelligence, a Proactive Approach to Mobility Improvement and Fall Prevention program. Requires Interim Finance approval since the amount transferred to the Civil Monetary Penalty Payments category exceeds \$75,000.

**Work Program #C57324**

Refer to motion for approval under Agenda Item F.1.



- 48. Department of Health and Human Services - Health Care Financing and Policy - Health Care Financing and Policy Administration - FY 2022**  
Addition of \$257,994 in federal Money Follows the Person grant funds to expand and improve the quality of home and community-based services for Medicaid recipients. Requires Interim Finance approval since the amount added to the Money Follows Person Planning Grant category exceeds \$75,000. **Work Program #C57664**

Refer to motion for approval under Agenda Item F.1.

- 49. Department of Health and Human Services - Health Care Financing and Policy - Increased Quality of Nursing Care - FY 2022**  
Transfer of \$356,950 from the Transfer to Budget Account 3243-Medicaid category to the Reserve category to realign reserve levels. Requires Interim Finance approval since the amount transferred from the Transfer to Budget Account 3243-Medicaid category exceeds \$75,000. **Work Program #C56539**

Refer to motion for approval under Agenda Item F.1.

- 50. Department of Health and Human Services - Health Care Financing and Policy - Nevada Medicaid, Title XIX - FY 2022**  
Addition of \$15,982,112 in federal Title XIX grant funds to fund a projected shortfall in certified public expenditures for ground emergency transportation services through the remainder of the fiscal year. Requires Interim Finance approval since the amount added to the Pass Thru to Local Government category exceeds \$75,000. **Work Program #C57518**

PHILLIP BURRELL (Deputy Administrator, Division of Health Care Financing and Policy, DHHS):

This work program requests the addition of Title XIX federal funds to fund a projected shortfall specifically for ground emergency transportation (GEMT). This work program is for federal funds and does not affect the State General Fund. To participate, GEMT providers certify that they have a non-federal share, and the division works with these providers and a third-party vendor to work through the lengthy audit and verification process of the expenditures and costs that relate to the program.

ASSEMBLYWOMAN TITUS:

Are the ambulance services ground transportation provided throughout the state? I understand these are federal funds. In the terminology, I am seeing these are settlement funds. Was this the actual cost of transportation, or did these emergency medical services departments submit bills, then settle on a lower cost of transportation?

TIFFANY LEWIS (Administrative Services Officer, Division of Health Care Financing and Policy, DHHS):

The GEMT are public providers who participate in the division's certified public expenditure program. In their budgets, the providers certify that they have the

share to put up for federal matching of the funds. The GEMT submits bills based on a cost-based rate. At the end of each period, the division gets a certified audited cost report through its vendor that helps perform these auditing services. At that time, the division and the public entity settle. The GEMT may have estimated costs too high and owes money back to the division because it overbilled. If the GEMT estimated costs to be lower than what they turned out to be, the division would true up and pay the GEMT additional funds.

ASSEMBLYWOMAN TITUS:

Is this emergency transportation for any reason, or must it be related to the COVID-19 pandemic?

Ms. LEWIS:

It is not just COVID-19 related. It is for any ground emergency transportation.

ASSEMBLYWOMAN TITUS:

Will this reimbursement be an ongoing situation? I assume the GEMT do not try to bill the private insurance providers.

Ms. LEWIS:

The reimbursements are exclusive to Medicaid recipients, and the GEMT providers are only eligible for Medicaid reimbursement. If the service is for an individual with private insurance, the private insurance would be billed for the service.

ASSEMBLYWOMAN TITUS MOVED TO APPROVE  
AGENDA ITEM F.2.50.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE  
MEMBERS PRESENT.

**51. Department of Health and Human Services - Public and Behavioral Health - Radiation Control Program - FY 2022**

Transfer of \$92,900 from the Reserve category to the Information Services category and \$37,392 from the Reserve category to the Division Cost Allocation category to provide the technologist licensing requirements in Senate Bill 130 (2019 Legislative Session). Requires Interim Finance approval since the amount transferred to the Information Services category exceeds \$75,000. **Work Program #C57252**

Refer to motion for approval under Agenda Item F.1.

**52. Department of Health and Human Services - Public and Behavioral Health - Nevada Central Cancer Registry - FY 2022**

Addition of \$104,772 in federal Cancer Prevention and Control Program grant funds transferred from Chronic Disease account to continue operations of the Nevada Cancer Control Registry. Requires Interim Finance approval since the

amount added to the National Cancer Prevention and Control category exceeds \$75,000. **RELATES TO ITEM F.2.57. Work Program #C57470**

Refer to motion for approval under Agenda Item F.1.

**53. Department of Health and Human Services - Public and Behavioral Health - Public Health Preparedness Program - FY 2022**

Addition of \$586,792 in federal Assistant Secretary for Preparedness and Response (ASPR), Hospital and Healthcare Preparedness Program grant funds to continue providing program activities. Requires Interim Finance approval since the amount added to the ASPR Hospital Preparedness Program category exceeds \$75,000. **Work Program #C57451**

Refer to motion for approval under Agenda Item F.1.

**54. Department of Health and Human Services - Public and Behavioral Health - Public Health Preparedness Program - FY 2022**

Addition of \$1,609,041 in federal Public Health Emergency Preparedness grant funds to continue providing emergency preparedness activities through the remainder of the fiscal year. Requires Interim Finance approval since the amount added to the Public Health Emergency Preparedness category exceeds \$75,000. **Work Program #C57578**

Refer to motion for approval under Agenda Item F.1.

**55. Department of Health and Human Services - Public and Behavioral Health - Biostatistics and Epidemiology - FY 2022**

Addition of \$77,098 in federal Tuberculosis (TB) Elimination and Laboratory Program grant funds to continue providing tuberculosis identification and treatment. Requires Interim Finance approval since the amount added to the TB Elimination category exceeds \$75,000. **Work Program #C57457**

Refer to motion for approval under Agenda Item F.1.

**56. Department of Health and Human Services - Public and Behavioral Health - Chronic Disease - FY 2022**

Addition of \$500,000 in federal Well-Integrated Screening and Evaluation for Women Across the Nation (WISEWOMAN) grant funds to implement and evaluate evidence-based strategies designed to reduce the risk and complications of heart disease and stroke. Requires Interim Finance approval since the amount added to the WISEWOMAN category exceeds \$75,000. **Work Program #C57501**

Refer to motion for approval under Agenda Item F.1.

**57. Department of Health and Human Services - Public and Behavioral Health - Chronic Disease - FY 2022**

Addition of \$147,105 in federal Cancer Prevention and Control grant funds to provide early cancer prevention, early detection, and survivorship services. Requires Interim Finance approval since the amount added to the Comprehensive Cancer category exceeds \$75,000. **RELATES TO ITEM F.2.52. Work Program #C57502**

Refer to motion for approval under Agenda Item F.1.

**58. Department of Health and Human Services - Public and Behavioral Health - Chronic Disease - FY 2022**

Addition of \$144,275 in non-federal National Association of Chronic Disease Directors, State Partnerships Improving Nutrition Equity (SPINE) funds to improve equitable food and nutrition security with increased access in rural communities. Requires Interim Finance approval since the amount added to the SPINE Program category exceeds \$75,000. **Work Program #C57831**

Refer to motion for approval under Agenda Item F.1.

**59. Department of Health and Human Services - Public and Behavioral Health - Maternal Child and Adolescent Health Services - FY 2022**

Addition of \$729,205 in federal Maternal and Child Health Services Block Grant funds to provide health education, prevention activities, quality assurances and health care resources. Requires Interim Finance approval since the amount added to the Pre and Postnatal Program category exceeds \$75,000. **Work Program #C57917**

Refer to motion for approval under Agenda Item F.1.

**60. Department of Health and Human Services - Public and Behavioral Health - Community Health Services - FY 2022**

Addition of \$118,427 in federal Family Planning Services grant funds to provide family planning and reproductive health services in rural and frontier Nevada. Requires Interim Finance approval since the amount added to the Family Planning category exceeds \$75,000. **Work Program #C57627**

Refer to motion for approval under Agenda Item F.1.

**61. Department of Health and Human Services - Public and Behavioral Health - Behavioral Health Prevention and Treatment - FY 2022**

Addition of \$501,181 in federal American Rescue Plan Act (ARPA), Substance Abuse Mental Health Services Agency (SAMHSA) grant funds to provide COVID-19 testing and mitigation measures for people with mental health and substance use disorders. Requires Interim Finance approval since the amount added to the SAMHSA COVID category exceeds \$75,000. **Work Program #22AR317001**

Refer to motion for approval under Agenda Item F.1.

**62. Department of Health and Human Services - Public and Behavioral Health - Behavioral Health Prevention and Treatment - FY 2022**

Addition of \$519,744 in federal American Rescue Plan Act (ARPA), Block Grants for Community Mental Health Services (CMHS) grant funds to provide COVID-19 testing and mitigation measures for people with mental health and substance use disorders. Requires Interim Finance approval since the amount added to the CMHS Block Grant COVID category exceeds \$75,000. **Work Program #22AR317002**

Refer to motion for approval under Agenda Item F.1.

**63. Department of Health and Human Services - Public and Behavioral Health - Behavioral Health Prevention and Treatment - FY 2022**

Addition of \$2,007,207 in federal Community Mental Health Services (CHMS) Block Grant funds to continue providing behavioral health-related activities including early serious mental illness, first episode of psychosis treatment and children services and crisis care. Requires Interim Finance approval since the amount added to the CHMS Block Grant category exceeds \$75,000. **Work Program #C57473**

Refer to motion for approval under Agenda Item F.1.

**64. Department of Health and Human Services - Public and Behavioral Health - Behavioral Health Prevention and Treatment - FY 2022**

Addition of \$3,944,500 in the Substance Abuse Prevention and Treatment (SAPT) block grant to continue providing substance abuse prevention and treatment activities. Requires Interim Finance approval since the amount added to the SAPT Block Grant category exceeds \$75,000. **Work Program #C57478**

Refer to motion for approval under Agenda Item F.1.

**65. Department of Health and Human Services - Public and Behavioral Health - Behavioral Health Prevention and Treatment - FY 2022**

Addition of \$455,343 in Farm and Ranch Stress Assistance Network funds transferred from the Department of Agriculture to provide stress assistance programs to individuals who are engaged in farming, ranching and other agriculture-related occupations. Requires Interim Finance approval since the amount added to the Farmer Ranch Assistance category exceeds \$75,000. **Work Program #C57515**

Refer to motion for approval under Agenda Item F.1.

**66. Department of Health and Human Services - Public and Behavioral Health - Behavioral Health Prevention and Treatment - FY 2022**

Addition of \$687,528 in federal Substance Abuse and Mental Health Services Administration's Strategic Prevention Framework - Partnership for Success (SPF-PFS) grant funds to continue providing activities to reduce the use of alcohol, marijuana, and methamphetamine in youth ages 9 to 20. Requires Interim Finance approval since the amount added to the SPF-PFS category exceeds \$75,000. **Work Program #C57523**

Refer to motion for approval under Agenda Item F.1.

**67. Department of Health and Human Services - Public and Behavioral Health - Behavioral Health Prevention and Treatment - FY 2022**

Addition of \$211,377 in federal Substance Abuse and Mental Health Services Administration - Projects for Assistance in Transition from Homelessness (PATH) grant funds to continue to reduce homelessness of individuals with mental health and/or substance use disorders. Requires Interim Finance approval since the amount added to the PATH Grant category exceeds \$75,000. **Work Program #C57644**

Refer to motion for approval under Agenda Item F.1.

**68. Department of Health and Human Services - Public and Behavioral Health - Rural Clinics - FY 2022**

Addition of \$250,000 in National Association of State Mental Health Program Directors (NASMHPD), Transformational Transfer Initiative grant funds to provide enhancement to the mental health crisis system for children and adolescents in rural and frontier communities. Requires Interim Finance approval since the amount added to the NASMHPD Agreement category exceeds \$75,000. **Work Program #C57649**

Refer to motion for approval under Agenda Item F.1.

**69. Department of Health and Human Services - Public and Behavioral Health - Southern Nevada Adult Mental Health Services - FY 2022**

Transfer of \$10,017 from the Transitional Living category to the Equipment category to fund the purchase of a floor scrubber deemed beyond repair. Requires Interim Finance approval since the amount transferred to the Equipment category exceeds 10% of the legislatively approved amount for that category. **Work Program #C57688**

Refer to motion for approval under Agenda Item F.1.

**70. Department of Health and Human Services - Welfare and Supportive Services - Administration - FY 2022**

Addition of \$2,713,029 in federal Food and Nutrition Services, Supplemental Nutrition Assistance Program (SNAP), Pandemic Electronic Benefit Transfer (PEBT) grant funds for the continuation of the PEBT issuance to Nevada's eligible

school-age children. Requires Interim Finance approval since the amount added to the SNAP - PEBT Federal category exceeds \$75,000. **RELATES TO ITEM F.2.71. Work Program #C57525**

Refer to motion for approval under Agenda Item F.1.

**71. Department of Health and Human Services - Welfare and Supportive Services - Welfare Field Services - FY 2022**

Addition of \$105,198 in federal Food and Nutrition Services, Supplemental Nutrition Assistance Program, Pandemic Electronic Benefit Transfer (PEBT) grant funds for the continuation of the PEBT issuance to Nevada's eligible school-age children. Requires Interim Finance approval since the amount added to the Reserve for Federal Funds category exceeds \$75,000. **RELATES TO ITEM F.2.70. Work Program #C57529**

Refer to motion for approval under Agenda Item F.1.

**72. Department of Health and Human Services - Welfare and Supportive Services - Welfare Field Services - FY 2022**

Addition of \$974,168 in federal Families First grant funds transferred from the Department of Employment, Training and Rehabilitation to provide reimbursement for the processing of unemployment insurance claims, adjudication, staffing, training, and fraud classes. Requires Interim Finance approval since the amount added to the Reserve for Federal Funds category exceeds \$75,000. **Work Program #C57532**

Refer to motion for approval under Agenda Item F.1.

**73. Department of Health and Human Services - Child and Family Services - Children, Youth and Family Administration - FY 2022**

Addition of \$3,384,664 in federal American Rescue Plan Act (ARPA), Family Violence Prevention and Service Act (FVPSA) grant funds to provide COVID-19 testing, vaccines, mobile health units, and to increase access to services to domestic violence victims and their dependents who have been impacted by COVID-19. Requires Interim Finance approval since the amount added to the Federal FVPSA ARPA Testing category exceeds \$75,000. **Work Program #22ARP31451**

Refer to motion for approval under Agenda Item F.1.

**74. Department of Health and Human Services - Child and Family Services - Children, Youth and Family Administration - FY 2022**

Addition of \$1,774,766 in federal American Rescue Plan Act (ARPA), Family Violence Prevention and Service Act (FVPSA) grant funds to assist with the transition to virtual and remote crisis centers and provide victims of family and domestic violence with critical services. Requires Interim Finance approval since the amount added to the Federal FVPSA ARPA Sexual Assault category exceeds \$75,000. **Work Program #22ARP31452**

Refer to motion for approval under Agenda Item F.1.

**75. Department of Health and Human Services - Child and Family Services - Children, Youth and Family Administration - FY 2022**

Addition of \$988,090 in federal Child Abuse Prevention and Treatment Act grant funds to provide ongoing statewide services to prevent, assess, identify, and treat child abuse and neglect. Requires Interim Finance approval since the amount added to the Child Abuse and Neglect category exceeds \$75,000. **Work Program #C56953**

Refer to motion for approval under Agenda Item F.1.

**76. Department of Health and Human Services - Child and Family Services - Children, Youth and Family Administration - FY 2022**

Addition of \$238,989 in federal Adoption and Legal Guardianship Incentive Payments Program grant funds to provide incentives for finding permanent homes for children in foster care through adoption or legal guardianship. Requires Interim Finance approval since the amount added to the Adopt/Legal Guard Incentive category exceeds \$75,000. **Work Program #C57033**

Refer to motion for approval under Agenda Item F.1.

**77. Department of Health and Human Services - Child and Family Services - Children, Youth and Family Administration - FY 2022**

Addition of \$143,075 in federal Educational and Training Vouchers Program grant funds to continue providing educational and training vouchers to eligible youth that have aged out of foster care. Requires Interim Finance approval since the amount added to the Educational and Training Voucher category exceeds \$75,000. **Work Program #C57477**

Refer to motion for approval under Agenda Item F.1.

**78. Department of Health and Human Services - Child and Family Services - Children, Youth and Family Administration - FY 2022**

Addition of \$513,215 in federal Family Violence Prevention and Services Act grant funds to continue providing services to victims of family violence, domestic violence and dating violence. Requires Interim Finance approval since the amount added to the Family Violence category exceeds \$75,000. **Work Program #C57479**

Refer to motion for approval under Agenda Item F.1.

**79. Department of Health and Human Services - Child and Family Services - Rural Child Welfare - FY 2022**

Addition of \$116,645 in federal Title IV-B Subpart 1 grant funds to continue supporting child welfare services. Requires Interim Finance approval since the amount added to the Title IV-B1 Grant Projects category exceeds \$75,000. **Work Program #C57538**



Refer to motion for approval under Agenda Item F.1.

**80. Department of Health and Human Services - Child and Family Services - Southern Nevada Child and Adolescent Services - FY 2022**

Addition of \$466,207 in Pediatric Mental Health Care Access Program grant funds to continue to promote behavioral health integration in pediatric primary care facilities. Requires Interim Finance approval since the amount added to the Pediatric Mental Health Access category exceeds \$75,000. **Work Program #C57455**

Refer to motion for approval under Agenda Item F.1.

**81. Department of Health and Human Services - Child and Family Services - Southern Nevada Child and Adolescent Services - FY 2022**

Transfer of \$452,206 from the Personnel category to the Temporary Contract Staffing category to fund a projected shortfall to maintain sufficient staffing levels in a 24-hour facility through the remainder of the fiscal year. Requires Interim Finance approval since the amount transferred to the Temporary Contract Staffing category exceeds \$75,000. **Work Program #C57615**

Refer to motion for approval under Agenda Item F.1.

**82. Department of Health and Human Services - Child and Family Services - Southern Nevada Child and Adolescent Services - FY 2022**

Transfer of ~~\$129,693~~ **\$239,555** from the Personnel category to the Mental Health Placements category to fund a projected shortfall for the remainder of the fiscal year to fund emergency acute hospitalizations. Requires Interim Finance approval since the amount transferred to the Mental Health Placements category exceeds \$75,000. **Work Program #C57625. REVISED 1-21-22.**

Refer to motion for approval under Agenda Item F.1.

**83. Department of Employment, Training and Rehabilitation - Employment Security Division - Governor's Office of Workforce Innovation - FY 2022**

Addition of \$343,650 in Workforce Innovation and Opportunity Act (WIOA) Governor's Reserve funds transferred from the Employment Security Division to provide statewide workforce investment activities and support the operation of the Governor's Workforce Development Board. Requires Interim Finance approval since the amount added to the WIOA Grant category exceeds \$75,000. **Work Program #C57195**

Refer to motion for approval under Agenda Item F.1.

**84. Department of Employment, Training and Rehabilitation - Employment Security Division - Unemployment Insurance - FY 2022**

Addition of \$9,887,088 in federal Pandemic Unemployment Assistance (PUA) grant funds to continue the agency's program operations. Requires Interim Finance approval since the amount added to the Pandemic UI Assist-PUA

category exceeds \$75,000. **Work Program #C57691**

ELISA CAFFERATA (Director, Department of Employment, Training and Rehabilitation [DETR]):

Every few months throughout the COVID-19 pandemic, DETR has received additional funding to implement and administer various unemployment programs based on the extensions it has received, or the number of clients served. One of these additional administrative funding amounts is being requested through this work program, which brings in funding for Pandemic Unemployment Assistance (PUA) program administration. At this point, PUA money is mostly being used to cover contract staff who continue to help DETR process and pay legitimate claimants and investigate and turn over fraudulent payments to law enforcement. A portion of the funds are being used to allow the remote access that these contract staff need to assist DETR. As is typical, the final portion is to obligate remaining funds for future costs, so the funding does not revert to the federal government.

ASSEMBLYWOMAN TITUS:

Is it correct that none of the funds would actually go toward paying unemployment claims due to the pandemic?

MS. CAFFERATA:

These funds are strictly for administration of the PUA program. There are still folks who are awaiting appeals by the PUA board of review. Those benefits are paid from a different federal funding source and do not come into the State General Fund. DETR draws the funding down as necessary, and claimants get their benefits directly.

ASSEMBLYWOMAN TITUS:

There are certain types of programs that DETR is obligated to pay back. Does DETR have to pay back the funds associated with these programs?

MS. CAFFERATA:

No, DETR does not have to pay these back.

ASSEMBLYWOMAN TITUS:

How long will DETR still be able to apply for PUA funds?

MS. CAFFERATA:

I am more familiar with some of the specific programs, like the Lost Wages Assistance program, which had a very specific period of performance and payment. As long as folks go through the process, and are found eligible, benefit dollars can be drawn down for them.

ASSEMBLYWOMAN TITUS:

You mentioned that these funds are being used for investigating fraudulent claims. How many fraudulent claims have been identified, how many have been resolved, and is there any retribution?

MS. CAFFERATA:

I do not have exact numbers. We have given the Committee a high-level overview of the millions of “imposter” claims that came in and information regarding how many of these claims DETR has stopped. Most of the fraudulent claims that DETR found were not paid. DETR works with law enforcement to turn over fraudulent claims as it identifies them. The federal government has task forces and programs for fraudulent claims that involve multiple states. It is an ongoing effort. I do not have exact details, but I can pull together information regarding the number of fraudulent claims for the Committee.

ASSEMBLYWOMAN TITUS:

I think everyone on this Committee and the state deserves some kind of actual figures regarding fraudulent claims, sooner rather than later. The problem is ongoing, and there are ongoing investigations, but I would like to know actual figures to date. I would like to know how many fraudulent claims are being investigated, and how much has been paid out. I know the fraudulent claims have been turned over the Office of the Attorney General (OAG), and that there have been federal investigations. I know that Nevada’s OAG has a task force on a national level, but at some point, DETR must have some actual numbers, and know whether money can be recovered.

ASSEMBLYWOMAN KASAMA:

Along with that information, perhaps you could also include a report on the backlog. For example, how many cases DETR is behind on, how it has been improving, and how much longer it might need additional contract workers to catch up?

SENATOR TATRO:

Is there anything being done to help the victims who have had their identities stolen and to rectify that with the Internal Revenue Service (IRS) and the state?

MS. CAFFERATA:

There are a couple of ways DETR is responding to this. The Committee may have heard from constituents that they have received an overpayment notice for funds that they never received. That is how they found out there was an imposter claim filed in their name. They may have received a 1099 form that similarly describes benefits that they did not receive.

On the DETR website, there is a tab which gives the step-by-step process for reporting fraud to DETR and requesting a corrected 1099 form. The IRS is very aware of the level of fraud, and DETR does not believe the IRS will pursue individual taxpayers. The victim can request a corrected 1099 form, which should be kept as documentation. That will demonstrate to the IRS that the victim has taken steps to correct their information. DETR’s website includes other resources for people who believe they have been victims of identity theft and fraud, and to protect their identity in the future.

SENATOR TATRO:

In what kind of timeframe should an individual expect to hear back from DETR if

they do report that their identity was stolen?

MS. CAFFERATA:

DETR typically does not follow up individually with folks. There is a form to let DETR know your identity has been fraudulently used, or to request a corrected 1099 form. You will receive an automated response for your records.

Some of DETR's staff are identifying and investigating claims that have been filed fraudulently, stopping payment, or recovering the money, and turning the information over to law enforcement. However, throughout the pandemic, DETR has focused on paying benefits to legitimate claimants. DETR has not had the staff to follow up with everyone who contacts it; this will be the case for most of 2022.

SENATOR TATRO:

I am one of those victims, and the issue has been going on for a long time. I received a notice that I received unemployment benefits. I immediately filed complaints with DETR, the FBI and the IRS. I continued to receive debit cards, and a variety of other things, which I also followed up on. I continued to receive notices that I was receiving unemployment benefits and have been overpaid. The fact that DETR is not following up with people is concerning. I would like to see something done to increase DETR's response times so people's claims can be investigated quicker.

SENATOR HARRIS:

While I understand and agree that fraud is a serious problem that should be prevented, I am also very aware that there are still claimants waiting months to get their claims processed.

In addition to the information that Assemblywoman Kasama requested, I would like to know the current average claim processing time compared to pre-pandemic, and the height of the unemployment claims. Nevadans are still telling me their claims are taking up to six months or more to process. I would implore DETR to keep an eye on fraud, and to also process the claims quicker. I let folks know that DETR is doing its best, and I believe that, but the best does not pay the bills.

MS. CAFFERATA:

DETR's priority has always been to focus on people who have legitimate claims. For those who might not have followed its staffing saga, at the beginning of the pandemic, DETR was given some flexibility in the staffing it could use to process standard unemployment claims. That flexibility expired with the federal programs in September 2021. Since then, DETR cannot contract out eligibility determinations, which has slowed things down a bit. The department is now primarily handling regular unemployment claims cases that require adjudication. An employer might say one thing and the worker who is laid off might say another. An investigation is needed, which is time consuming. The department is reducing the number of days to pay a claim, but it is still taking too long. DETR knows the folks who are eligible for this money really need it and getting them their money is

the department's number one priority.

ASSEMBLYWOMAN TITUS MOVED TO APPROVE  
AGENDA ITEM F.2.84.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE  
MEMBERS PRESENT.

**85. Department of Employment, Training and Rehabilitation - Administrative Services - Administration - FY 2022**

Transfer of \$130,425 from the Reserve category to the Operating category and transfer of \$117,524 from the Reserve category to the Information Services category to address a projected shortfall and purchase equipment which will provide staff with the ability to remote work when necessary due to the COVID-19 pandemic. Requires Interim Finance approval since the amount transferred to the Operating category exceeds \$75,000. **Work Program #C57701**

Refer to motion for approval under Agenda Item F.1.

**86. Department of Corrections - Prison Industry - FY 2022**

Transfer of \$114,850 from the Retained Earnings category to the Northern Nevada Correctional Center (NNCC) Metal Shop category to continue providing raw materials and labor to the construction industry in the state. Requires Interim Finance approval since the amount transferred to the NNCC Metal Shop category exceeds \$75,000. **Work Program #C57617**

Refer to motion for approval under Agenda Item F.1.

**87. Department of Motor Vehicles - Compliance Enforcement - FY 2022**

Addition of \$116,170 in Prior Year Refunds revenue transferred from the Motor Vehicle Pollution Control account to correct an error in the cost allocation for FY 2020. Requires Interim Finance approval since the amount added to the Reserve for Reversion Highway Fund category exceeds \$75,000. **RELATES TO ITEM F.2.88. Work Program #C57489**

Refer to motion for approval under Agenda Item F.1.

**88. Department of Motor Vehicles - Motor Vehicle Pollution Control - FY 2022**

Transfer of \$65,000 from the Reserve category to the Transfers-Intra Agency Cost Allocation category to fund a projected shortfall through the remainder of the fiscal year. Requires Interim Finance approval since the amount transferred to the Transfers-Intra Agency Cost Allocation category exceeds 10% of the legislatively approved amount for that category. **RELATES TO ITEM F.2.87. Work Program #C57488**

Refer to motion for approval under Agenda Item F.1.

**89. Department of Motor Vehicles - Central Services - FY 2022**

Addition of ~~\$250,000~~ **\$382,946** in Expedited Title Fees and ~~\$100,000~~ **\$172,492** in Administration Charge and a transfer of ~~\$426,500~~ **\$221,063** from the Personnel category to fund a projected shortfall in the Operating category due to an increase in postage costs. Requires Interim Finance approval since the amount transferred to the Operating category exceeds \$75,000. **Work Program #C57645. REVISED 1-26-22**

Refer to motion for approval under Agenda Item F.1.

**90. Department of Motor Vehicles - License Plate Factory - FY 2022**

***Addition of \$245,000 in Special Plate Cost Allocation to the Special Plates category and a transfer*** ~~Transfer of \$670,000 from the Reserve category to the Operating category and transfer of \$245,000 from the Reserve category to the Special Plates category~~ to purchase aluminum, sheeting materials and the cost of shipping license plates through the remainder of the fiscal year. Requires Interim Finance approval since the amount transferred to the Operating category exceeds \$75,000. **Work Program #C57626. REVISED 1-24-22**

Refer to motion for approval under Agenda Item F.1.

**91. Department of Motor Vehicles - Field Services - FY 2022**

Transfer of \$216,000 from the Personnel category to the Operating category to fund a projected shortfall due to hiring temporary staff to assist with a backlog. Requires Interim Finance approval since the amount transferred to the Operating category exceeds \$75,000. **Work Program #C57503**

Refer to motion for approval under Agenda Item F.1.

**92. Department of Public Safety - Nevada Highway Patrol Division - FY 2022**

Addition of \$38,744 in Federal Bureau of Investigations (FBI) Task Force grant authority to support investigation and enforcement activities associated with the Safe Streets Task Force Program. Requires Interim Finance approval since the amount added to the FBI Safe Streets Task Force category exceeds 10% of the legislatively approved amount for that category. **Work Program #C57699**

Refer to motion for approval under Agenda Item F.1.

**93. Department of Public Safety - Division of Parole and Probation - FY 2022**

Transfer of \$121,582 from the Personnel category to the Psychosexual Evaluations category to fund a projected shortfall through the remainder of the fiscal year. Requires Interim Finance approval since the amount transferred to the Psychosexual Evaluations category exceeds \$75,000. **Work Program #C57725**

Refer to motion for approval under Agenda Item F.1.

**94. Department of Public Safety - State Fire Marshal Division - FY 2022**

Transfer of \$47,200 from the Personnel category to the Equipment category to purchase a replacement vehicle that is no longer mechanically fit for service. Requires Interim Finance approval since the amount transferred to the Equipment category exceeds 10% of the legislatively approved amount for that category. **Work Program #C57405**

Refer to motion for approval under Agenda Item F.1.

**95. Department of Public Safety - State Fire Marshal Division - FY 2022**

Addition of \$45,500 in Plan Review Fee revenue to cover the cost of greater-than-projected plan review activities. Requires Interim Finance approval since the amount added to the Contracted Plan Review category exceeds 10% of the legislatively approved amount for that category. **Work Program #C57755**

Refer to motion for approval under Agenda Item F.1.

**96. Department of Conservation and Natural Resources - Division of State Parks - FY 2022**

Addition of \$179,695 in federal U.S. Fish and Wildlife Service grant funds transferred from the Nevada Department of Wildlife (NDOW) to construct a boat dock and gangway at the Eagle Valley Reservoir in Spring Valley State Park. Requires Interim Finance approval since the amount added to the NDOW Boating Access Grant category exceeds \$75,000. **Work Program #C57714**

Refer to motion for approval under Agenda Item F.1.

**97. Department of Conservation and Natural Resources - Division of Water Resources - FY 2022**

Transfer of \$28,531 from the Personnel Services category to the Flood Community Assistance Program category to support the federal Community Assistance program. Requires Interim Finance approval since the amount transferred to the Flood Community Assistance Program category exceeds 10% of the legislatively approved amount for that category. **Work Program #C57700**

Refer to motion for approval under Agenda Item F.1.

**98. Department of Conservation and Natural Resources - Division of Forestry - Administration - FY 2022**

Addition of \$1,716,111 in federal U.S. Forest Service Hazardous Fuels Reduction grant funds to develop and maintain efficient and effective fire protection services. Requires Interim Finance approval since the amount added to the Fuels Reduction Grant category exceeds \$75,000. **Work Program #C57713**

Refer to motion for approval under Agenda Item F.1.

99. **Department of Conservation and Natural Resources - Division of Environmental Protection - State Revolving Fund Administration - FY 2022**  
Addition of \$70,150 in federal U.S. Environmental Protection Agency grant funds to support the administration of the Safe Drinking Water State Revolving Fund program. Requires Interim Finance approval since the cumulative amount added to the Drinking Water State Revolving Fund Administration category exceeds \$75,000. **Work Program #C57577**

Refer to motion for approval under Agenda Item F.1.

100. **Department of Conservation and Natural Resources - Division of Environmental Protection - Materials Management and Corrective Action - FY 2022**  
Addition of \$62,811 in federal Facility Agreement and Consent Order fees transferred from the Hazardous Waste Management account to oversee the federal Department of Energy's (DOE) investigation and remediation of corrective action sites with historical soil and groundwater contamination associated with the Nevada National Security Site. Requires Interim Finance approval since the amount added to the DOE Fees category exceeds 10% of the legislatively approved amount for that category. **Work Program #C57539**

Refer to motion for approval under Agenda Item F.1.

101. **Department of Conservation and Natural Resources - Division of Environmental Protection - Materials Management and Corrective Action - FY 2022**  
Addition of \$94,855 in federal U.S. Environmental Protection Agency grant funds and transfer of \$6,081 from the Indirect Cost category to the State Response Program category to support the Nevada Brownfields and Environmental Assistance programs. Requires Interim Finance approval since the amount added to the State Response Program category exceeds \$75,000. **Work Program #C57545**

Refer to motion for approval under Agenda Item F.1.

102. **Department of Conservation and Natural Resources - Division of Environmental Protection - Materials Management and Corrective Action - FY 2022**  
Addition of \$305,190 in federal Department of Energy (DOE) grant funds and transfer of \$7,029 from the Indirect Cost category to the DOE Grant category to oversee the DOE's environmental, safety and health programs, and monitor activities at the Nevada National Security Site. Requires Interim Finance approval since the amount added to the DOE Grant category exceeds \$75,000. **Work Program #C57555**

Refer to motion for approval under Agenda Item F.1.



- 103. Department of Conservation and Natural Resources - Division of Environmental Protection - State Revolving Fund Administration - FY 2022**  
Addition of \$112,530 in federal U.S. Environmental Protection Agency grant funds to support the administration of the Safe Drinking Water State Revolving Fund program. Requires Interim Finance approval since the amount added to the Local Assistance 15% Set Aside category exceeds \$75,000. **Work Program #C57678**

Refer to motion for approval under Agenda Item F.1.

- 104. Department of Conservation and Natural Resources - Division of Environmental Protection - Water Quality Planning - FY 2022**  
Addition of \$68,847 in federal U.S. Environmental Protection Agency (EPA) grant funds transferred from the Environmental Protection Administration account to support monitoring of priority areas throughout Nevada that pose a risk of perfluoroalkyl and polyfluoroalkyl chemical contamination. Requires Interim Finance approval since the cumulative amount added to the Federal EPA Multipurpose Grant category exceeds \$75,000. **Work Program #C57435**

Refer to motion for approval under Agenda Item F.1.

- 105. Department of Conservation and Natural Resources - Division of Outdoor Recreation - FY 2022**  
Addition of \$1,100,000 in federal Department of Commerce Economic Development Authority (EDA) grant funds transferred from the Department of Tourism and Cultural Affairs, Division of Tourism to support travel, tourism, and outdoor recreation in Nevada. Requires Interim Finance approval since the amount added to the Tourism EDA Grant category exceeds \$75,000. **RELATES TO ITEM F.2.40. Work Program #C57667**

Agenda Items F.2.39, F.2.40 and F.2.105 were discussed jointly.

BRENDA SCOLARI (Director, Department of Tourism and Cultural Affairs [DTCA]):  
As you know, the DTCA Division of Tourism is funded entirely by three-eighths of one percent of the statewide lodging tax. The division builds its proposed budget by modeling future projections of room demand. Normally, those projections are quite accurate, but the COVID-19 pandemic has been an unpredictable variable.

When compared to a healthy lodging tax year, for FY 2020 and FY 2021 collections, the division is operating with revenue losses of almost \$20 million. This request adjusts the division's collection authority to add an increase in lodging tax collections to budget 1522.

SENATOR DONDERO LOOP:

Lodging tax revenue collections have been volatile over the last couple of years. Would you give an update on revenue projections for the future?

MS. SCOLARI:

The DTCA does its best to keep up with projections. There can be a lag in actual

lodging tax revenue collections of six weeks or more. This is the division's best projection as of submitting this work program. The division would like to update the work program at the end of the fiscal year to see what actual collections are, and additional corrections will be made at that time.

ASSEMBLYWOMAN MILLER:

What are the division's planned marketing activities and strategies to promote Nevada as an entertainment and adventure destination?

MS. SCOLARI:

The division is operating from its strategic plan approved by the Tourism Commission. Mary Ellen Kawchack, Deputy Director and former Chief Marketing Officer, works closely with the Travel Nevada marketing team and will discuss the details.

MARY ELLEN KAWCHACK (Deputy Director, Division of Tourism, DTCA):

The division meets with its marketing committee quarterly to make updates as it prepares a plan for the entire year. Plans have changed because people are traveling again as the COVID-19 pandemic is winding down, and the division is budgeting for this as best it can. The division targets markets that it feels have the highest propensity for travelers to visit Nevada and conducts additional research in these areas. Those reports are available on [travelnevada.biz](https://travelnevada.biz), and I would be happy to send those to the Committee. The division does a lot of digital and broadcast television advertising and some print advertising. The division has been involved in a lot of sports marketing as of late, knowing that Las Vegas has been growing large in this area over the last couple of years; the division wants to continue supporting sports marketing.

ASSEMBLYWOMAN MILLER:

Can we request that those reports be provided to the Committee?

CHAIR BROOKS:

Absolutely.

ASSEMBLYWOMAN JAUREGUI:

What is the division's plan to resume its international marketing efforts? Would this plan require additional resources given the intent to repurpose an existing vacant position responsible for international marketing activities?

MS. SCOLARI:

Yes, it will. The division considers its international markets to be part of its overall marketing consideration. Of course, international visitation was deeply affected by the pandemic. Some of those markets are returning, although the Omicron variant has thwarted some of those efforts as well. Canada and Mexico are two of the division's active markets. Prior to the pandemic, the division had a presence in ten international markets. The division's goal is to assess visitor intention by surveying their interest in Nevada and seeing how this develops as the state moves through this transitional time.

ASSEMBLYWOMAN JAUREGUI:

If the division is going to resume focusing on international marketing efforts, will there be additional resources required considering that a vacant position will be repurposed into the Destination Development Manager position?

Ms. SCOLARI:

The division's Destination Development Manager position is part of a grant program meant to allow tourism partners and communities to invest in tourism infrastructure. The division has a longstanding, existing marketing grant program. This new program is meant to serve as a community's consideration of long-term gaps in their tourism economy, and how the community might diversify.

ASSEMBLYWOMAN JAUREGUI:

Will additional resources be needed once the division resumes international marketing?

Ms. SCOLARI:

It will be a part of the division's overall marketing and budgeting consideration, but international markets are not the focus of need right now.

CHAIR BROOKS:

I would now like for Colin Robertson, Administrator, Division of Outdoor Recreation, Department of Conservation and Natural Resources (DCNR), to briefly talk about Agenda Item F.2.105, the grants that will come into the division, and how that funding will be used.

COLIN ROBERTSON (Administrator, Division of Outdoor Recreation, DCNR):

Agenda Item F.2.105 is a portion of the U.S. Department of Commerce, Economic Development Administration (EDA) funds coming to the State of Nevada for the Tourism and Outdoor Recreation notice of funding opportunity. Dr. Scolari and I have worked closely with EDA representatives from our region and a variety of other partners and collaborators to identify how those funds would be utilized over the next 60 months.

Item F.2.105 addresses one portion of those funds (\$1.1 million of the total) for four different projects related to the DCNR Division of Outdoor Recreation.

Briefly, the four outdoor recreation infrastructure projects are 1) an outdoor economic impact analysis; 2) dark sky tourism; 3) an outdoor recreation study and asset map; and 4) a planning project for the Tahoe Meadows along the Mount Rose Highway, to address the burden of extra participation in outdoor recreation in that highly visited area.

ASSEMBLYWOMAN TITUS:

I understand that tourism in the state diminished during the pandemic. Fortunately, the state is seeing an increase in visitation, and an increase in revenue from the gaming industry. This is all great news.

One of the things we saw in the pandemic was the increased use of outdoor recreation areas by Nevadans. We are almost loving Nevada to death. Each of these three work programs involves international advertising. I am worried that with the additional advertising funding to bring in more tourism, there may be overuse of our state.

I appreciate the concerns surrounding how the visitation rates of Lake Tahoe are escalating; I feel we are damaging it. Is the Division of Outdoor Recreation working with the DCNR Division of State Parks to make sure it can accommodate the growth in outdoor recreation without stunting its growth? It is great that the state has money to bring in tourism, but what do we do with those tourists when we ourselves are using "our own backyard" to get outside?

MS. SCOLARI:

Travel Nevada is extremely aware that, with outdoor spaces being the state's premier asset, the agency's role is to educate visitors and residents about how to have the best experience, while delivering a message of conservation and preservation for future generations. The programs that Travel Nevada is initiating address those things. Travel Nevada is now looking at management of outdoor recreation as a tourism asset that directly serves the state's residents as well.

MR. ROBERTSON:

I would like to add that a portion of the request in Agenda Item F.2.105 is for outdoor recreation infrastructure projects, including trail projects and opportunities to enhance, build additional, or rehabilitate underutilized opportunities for outdoor recreation infrastructure with the intention of creating more opportunities; this will decrease pressure on some of the sites that Assemblywoman Titus was referring to. The Division of Outdoor Recreation is acutely aware of the impact of the additional participation in outdoor recreation across the state. The impacts are not addressed through the budget processes of some of the division's partner agencies, like the Forest Service or the Bureau of Land Management (BLM), who are under-funded and under-resourced in those areas.

ASSEMBLYWOMAN TITUS:

Is the Division of Outdoor Recreation partnering with the Division of State Parks? I am concerned that tourists are being encouraged to visit state parks that are already overrun by visitors. You mentioned BLM and federal agencies, but is the Division of Outdoor Recreation working with state agencies in Nevada?

MR. ROBERTSON:

I work very closely with the Division of State Parks. We collaborate on several different projects, not the least of which is the current revision of the Statewide Comprehensive Outdoor Recreation Plan (SCORP), which specifically addresses concerns about stewardship of the state's outdoor recreation infrastructure. That is a prime focus of the revised SCORP, which is out for public comment currently through the Division of State Parks' website.

The Division of State Parks and the DCNR have put forward requests for funding

through the Nevada Recovers portal to support significant infrastructure improvements and the maintenance backlog needs of the state parks system to address the specific purpose.

ASSEMBLYWOMAN CARLTON MOVED TO APPROVE  
AGENDA ITEMS F.2.39, F.2.40, AND F.2.105.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE  
MEMBERS PRESENT.

Chair Brooks called a recess at 12:52 p.m. The meeting reconvened at 1:14 p.m.

**106. Department of Wildlife - Game Management - FY 2022**

Addition of \$372,333 in Predator Fee funds transferred from the Wildlife Fund account to support approved predator management projects for the remainder of the fiscal year. Requires Interim Finance approval since the amount added to the Predator Management Wildlife Services category exceeds \$75,000. **Work Program #C57468**

Refer to motion for approval under Agenda Item F.1.

**107. Department of Wildlife - Fisheries Management - FY 2022**

Addition of \$162,771 in federal U.S. Fish and Wildlife Service grant funds to support the Aquatic Invasive Species (AIS) program. Requires Interim Finance approval since the amount added to the AIS Outreach and Inspection category exceeds \$75,000. **Work Program #C57765**

Refer to motion for approval under Agenda Item F.1.

**108. Office of the Military - Emergency Management Assistance Grants - FY 2022**

Addition of \$388,270 in federal Urban Area Security Initiative (UASI) Non-Profit Grant authority to support the development and sustainment of core preparedness capabilities for local nonprofit organizations. Requires Interim Finance approval since the amount added to the UASI Non-Profit Expenditure category exceeds \$75,000. **Work Program #C57579**

Refer to motion for approval under Agenda Item F.1.

**109. Department of Veterans Services - Southern Nevada Veterans Home Account - FY 2022**

Transfer of \$590,535 from the Medical Services category to the Operating category and \$249,462 from the Medical Services category to the Food Service category to fund a projected shortfall for the remainder of the fiscal year. Requires Interim Finance approval since the amount transferred to the Operating category exceeds \$75,000. **Work Program #C57787**

Agenda Items F.2.109 and F.2.110 were discussed jointly. Refer to discussion and motion for approval under Agenda Item F.2.110.

**110. Department of Veterans Services - Northern Nevada Veterans Home Account - FY 2022**

Addition of \$3,077,813 in Federal Reimbursement revenue and a transfer of \$235,124 from the Reserve category to the Operations category to cover actual and projected expenses through the remainder of the fiscal year. Requires Interim Finance approval since the amount added to the Operations category exceeds \$75,000. **Work Program #C57600**

Agenda Items F.2.109 and F.2.110 were discussed jointly.

KATHERINE MILLER (Director, Nevada Department of Veterans Services [NDVS]): Agenda Item F.2.109 requests a transfer of \$590,535 to the Operational category from the Medical Services category due to an increase in temporary staffing costs. The NDVS is also requesting a transfer of \$249,462 from the Medical Services category to the Food Services category due to increased food costs.

ASSEMBLYWOMAN BENITEZ-THOMPSON:

It caught my eye that the food costs were off budget by about \$250,000.

Ms. MILLER:

There were big increases in the cost of eggs, milk, and meat. Costs have increased for anything that is shipped, not just perishables. The NDVS is seeing an increase in food costs across the board.

ASSEMBLYWOMAN BENITEZ-THOMPSON:

I understand there is an increase in the cost of the commodity. There is a fixed number of beds, so there has not been an increase in the number of residents being served.

For Agenda Item F.2.110, the higher than anticipated pass-through revenue is causing an insufficient amount of authority in category 4. Is this an actual deficit, or is it an accounting issue that can be fixed by moving dollars?

Ms. MILLER:

The NDVS needs authority to accept more money. The department received more money in federal revenues than it had anticipated, but on the flip side, costs are much higher. This work program is asking for the authority to accept these additional federal revenues.

ASSEMBLYWOMAN BENITEZ-THOMPSON MOVED TO  
APPROVE AGENDA ITEMS F.2.109 AND F.2.110.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

**111. Public Employees' Benefits Program - FY 2023**

Addition of \$8,667,000 in a partial balance forward of cash and authority from FY 2022 to FY 2023 to support the Public Employees' Benefits Program Board-approved health benefit plan design for Plan Year 2023. Requires Interim Finance approval since the amount added to the State Employee Insurance Cost category exceeds \$75,000. **Work Program #C57682**

LAURA RICH (Executive Officer, Public Employees' Benefits Program [PEBP]):

This work program seeks to balance forward realized funding of approximately \$8.6 million from FY 2022 to FY 2023. This stems from a decision made by the PEBP board to use a portion of the excess reserves that have accumulated, largely from claim suppression due to pandemic shutdowns, to fund the restoration of medical benefits that were cut during the 2021 Legislative Session.

The approval of this work program will allow PEBP to almost completely restore its plan design and health insurance plans to pre-pandemic levels. The \$8.6 million is only about one-third of the total amount that the PEBP board approved to allocate. The idea behind this is to fund these benefits for three years to avoid a yoyo effect, and instead offer consistent benefits to those members who are covered by PEBP, so that they can depend on that stability.

ASSEMBLYWOMAN CARLTON:

The availability of these dollars is due partially to the utilization issue because folks did not actually use the benefits. Are there other factors that contributed to these dollars being available?

MS. RICH:

The vast majority is due to claim suppression. It is utilization that did not happen. People did not see their dentist or did not have medical procedures done. There is a small percentage that can be attributed to the fact that PEBP has gone out to bid on many of its contracts and has a lot of contract savings as a result. Most of these savings will be seen moving forward, because a lot of the contracts begin on July 1, 2022. However, PEBP did have a few contracts that were effective last year from which it is starting to realize savings.

ASSEMBLYWOMAN CARLTON:

PEBP is talking about using approximately \$8.7 million. I know you cannot identify the exact dollar amount needed because of the way the deductibles and health plans work. What are PEBP's plans if the \$8.7 million is higher or lower than what is needed?

MS. RICH:

The fact that PEBP cannot identify the exact amount is the reason it has chosen to spread the amount out over three years. PEBP is not using the entire amount of excess funding and is instead estimating those three years to equal to

\$26 million because of the volatility in health care costs. There is no guarantee that PEBP will fall right on that mark of \$8.6 million per year. PEBP took a conservative approach to ensure that it can spread those costs out over three years and will have sufficient access to be able to cover the costs.

ASSEMBLYWOMAN CARLTON:

If the actuaries come back with another cost, will it cause a huge shift again? Families need stability in their health care costs. I want to make sure we can sustain this for a while so that two years from now, the members' health care costs do not go through the roof again, when their wages have not.

MS. RICH:

The trend is very volatile. There is a spike in claims and there is some question industrywide as to how long the spike in claims will last. The claims suppression period lasted several months; for some plans, it lasted almost a year. It is difficult to confidently predict anything with the ever-evolving landscape of the COVID-19 pandemic, but based on what it knows today, PEBP feels comfortable using reserves of \$26 million over three years.

CHAIR BROOKS:

If the Committee approves this item, I will request that PEBP come back with an informational item once the final number is established by the actuary.

ASSEMBLYWOMAN TITUS:

Assemblywoman Carlton commented about not wanting folks to experience shock regarding their health care bills later. Many of my constituents have already been shocked when they were charged a surcharge for not having been vaccinated for COVID-19. With this extra money that PEBP has, is it still necessary to charge an additional premium for not having been vaccinated?

MS. RICH:

The surcharge will not be effective until the beginning of the plan year, which is July 1, 2022. The surcharge came about as a result of employer-wide testing. The Office of the Governor has implemented policies that subject unvaccinated individuals to weekly testing. The testing is costly. Prior to PEBP taking this on, DHHS was administering it using Coronavirus Relief Fund (CRF) dollars.

PEBP has contracted with a vendor to purchase tests, which will be distributed among all agencies across the state - not just state agencies, but anyone with employees covered under PEBP, such as LCB, NSHE and the boards and commissions.

PEBP is paying for testing regardless, so it is steering folks who are subject to weekly testing to lower-cost tests. This testing costs \$33 per test, versus CVS or urgent care which could cost around \$130 for a PCR test. Diagnostic testing is required by insurers to be paid for at 100%. However, these weekly tests are employer-mandated surveillance testing. PEBP is trying to offer an easy and convenient solution for employees to meet the policies that the Governor has



implemented and do so at a lower cost than what would typically be paid should someone go to CVS or Walgreens to get the test.

Since PEBP is administering and taking on the costs of the program, given the information that it has, combined with the number of unvaccinated employees in the state, PEBP projected, with the help of actuaries, a cost of about \$18.5 million per year. PEBP is not budgeted for that. Therefore, PEBP had to determine the kind of mechanism necessary to bring in that funding; the surcharge is a result of that. The surcharge should cover at least the cost of testing, but there is also the added extra cost of hospitalization and treatment of those unvaccinated members as well. Without the surcharge, if this policy continued throughout the year, PEBP would be short at least \$8.5 million [Corrected: \$18.5 million].

ASSEMBLYWOMAN TITUS:

Thank you for the attempted explanation. I still have concerns. The state has required unvaccinated employees to be tested once a week. It was noted there was a significant difference in the cost between diagnostic versus surveillance testing. The Committee heard earlier today that a surveillance test could cost as low as \$6.50, versus \$8. Observed testing could be done at work, versus the PCR test, which is very expensive. Is the state requiring PCR diagnostic tests once a week?

Ms. RICH:

The weekly test is a proctored rapid antigen test. Originally, when this policy was being implemented, the U.S. Department of Labor, Occupational Safety and Health Administration (OSHA) mandate was still in the courts. The OSHA mandate required that if an employee self-administered the test, they could not self-read the test. PEBP was looking at solutions to potentially meet that OSHA mandate, and the option is a rapid antigen test that a member can take anywhere. A telehealth solution could be used to proctor the test to ensure the validity of the results.

The other factor is reporting. Agencies can track who has and who has not tested. There is no mechanism to track an employee who is using an over-the-counter test and is self-testing. They could bring a test result to the office and show their supervisor, but who knows who took the test? The test could have been taken by a spouse, or the employee could present the same test every week.

There was an effort to implement some sort of consistency, while at the same time planning around whether the OSHA mandate would make it out of the courts.

ASSEMBLYWOMAN TITUS:

I am concerned that the state is singling out a specific group of people to be punished for their health care choices. I am not sure whether a surcharge is applied to employees who have diabetes and choose not to follow their doctor's advice. I would hope that as this evolves, if we are not doing weekly testing and there are extra funds, perhaps we can make that up to the employees who are being penalized.

ASSEMBLYWOMAN BENITEZ-THOMPSON:

What percentage of participants end up hitting their out-of-pocket maximum for individuals and families?

Ms. RICH:

It is a small percentage of people who meet their out-of-pocket maximum. On the Health Maintenance Organization plan, where members are subject to copays, it is very rare that members meet the out-of-pocket maximum. Meeting the out-of-pocket maximum is much more common for members on the high-deductible plan, even though it is still a pretty low number overall. I do not have the exact number on hand but will provide it to Fiscal staff. A higher number of employees meet their annual deductible.

ASSEMBLYWOMAN PETERS:

During the 2021 Legislative Session, discussions were had regarding the low-deductible copay plan changes, the difference between copays, what is applied to the deductible and what is out-of-pocket. I recall that the copay goes toward out-of-pocket, but not toward the deductible. In this new scenario where the deductibles are reduced to zero, do copays go toward out-of-pocket costs?

Ms. RICH:

Yes, that is correct.

ASSEMBLYWOMAN CARLTON MOVED TO APPROVE  
AGENDA ITEM F.2.111.

CHAIR BROOKS:

Assemblywoman Carlton, would you withdraw the motion, then make a motion that requires a report to the Committee once the final actuary amount is determined?

ASSEMBLYWOMAN CARLTON WITHDREW THE  
PREVIOUS MOTION TO APPROVE AGENDA ITEM F.2.111.

ASSEMBLYWOMAN CARLTON MOVED TO APPROVE  
AGENDA ITEM F.2.111 AND REQUEST A PROGRESS  
REPORT REGARDING CHANGES TO THE ACTUARIAL  
AMOUNT BE SUBMITTED BY THE PUBLIC EMPLOYEES'  
BENEFITS PROGRAM TO THE INTERIM FINANCE  
COMMITTEE AS AN INFORMATIONAL ITEM.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE  
MEMBERS PRESENT.

**112. Public Employees' Benefits Program - FY 2022**

Transfer of \$2,053,686 from the Reserve category to the State Medicare Retiree Insurance Cost category and a transfer of \$499,869 from the Reserve category to the Operating category to fund a projected shortfall through the remainder of the fiscal year. Requires Interim Finance approval since the amount transferred to the State Medicare Retiree Insurance Cost category exceeds \$75,000. **Work Program #C57779**

Refer to motion for approval under Agenda Item F.1.

**113. Department of Health and Human Services - Health Care Financing and Policy - Nevada Medicaid, Title XIX - FY 2022**

Addition of \$41,480,594 in federal Title XIX grant funds and \$18,623,152 in Home and Community-Based Services (HCBS) Reinvestment funds to provide a supplemental payment for personal care services providers and Intellectual or Developmental Disability providers with increased funding provided by the federal American Rescue Plan Act (ARPA). Requires Interim Finance approval since the amount added to the HCBS ARPA category exceeds \$75,000. **Work Program #C57670. RECEIVED AFTER SUBMITTAL DEADLINE, 1-14-22.**

Agenda Items F.2.113, F.2.114, F.2.115, F.2.116, F.2.119 and F.2.120 were discussed jointly. Refer to motion for approval under Agenda Item F.2.120.

**114. Department of Health and Human Services - Health Care Financing and Policy - Nevada Medicaid, Title XIX - FY 2022**

Addition of \$4,731,032 in federal Title XIX grant funds and \$2,146,468 in Home and Community-Based Services (HCBS) Reinvestment funds to provide \$500 supplemental payments to direct home care workers with the increased funding provided by the federal American Rescue Plan Act (ARPA). Requires Interim Finance approval since the amount added to the HCBS ARPA category exceeds \$75,000. **Work Program #C57646. RECEIVED AFTER SUBMITTAL DEADLINE, 1-14-22.**

Agenda Items F.2.113, F.2.114, F.2.115, F.2.116, F.2.119 and F.2.120 were discussed jointly. Refer to motion for approval under Agenda Item F.2.120.

**115. Department of Health and Human Services - Health Care Financing and Policy - Health Care Financing and Policy Administration - FY 2022**

Addition of \$485,865 in federal Title XIX grant funds and \$485,864 in Home and Community-Based Services (HCBS) Reinvestment funds transferred from the Nevada Medicaid account to procure a consultant to research and recommend strategies to enhance behavioral health services for Medicaid-eligible children with the increased funding provided by the federal American Rescue Plan Act (ARPA). Requires Interim Finance approval since the amount added to the HCBS ARPA category exceeds \$75,000. **RELATES TO ITEM F.2.116. Work Program #C57660. RECEIVED AFTER SUBMITTAL DEADLINE, 1-14-22.**

Agenda Items F.2.113, F.2.114, F.2.115, F.2.116, F.2.119 and F.2.120 were discussed jointly. Refer to motion for approval under Agenda Item F.2.120.

**116. Department of Health and Human Services - Health Care Financing and Policy - Nevada Medicaid, Title XIX - FY 2022**

Addition of \$485,864 in Home and Community-Based Services (HCBS) Reinvestment Funds to procure a consultant to research and recommend strategies that will enhance behavioral health services for Medicaid-eligible children with the increased funding provided by the federal American Rescue Plan Act (ARPA). Requires Interim Finance approval since the amount added to the HCBS ARPA category exceeds \$75,000. **RELATES TO ITEM F.2.115. Work Program #C57730. RECEIVED AFTER SUBMITTAL DEADLINE, 1-14-22.**

Agenda Items F.2.113, F.2.114, F.2.115, F.2.116, F.2.119 and F.2.120 were discussed jointly. Refer to motion for approval under Agenda Item F.2.120.

**117. Department of Public Safety - Division of Parole and Probation - FY 2022**

Transfer of \$840,050 from the Personnel category to the Nevada Parole and Probation (NPP) Body Cams category to support the purchase of body cameras and associated software for sworn personnel. Requires Interim Finance approval since the amount transferred to the NPP Body Cams category exceeds \$75,000. **Work Program #C57742. RECEIVED AFTER SUBMITTAL DEADLINE, 1-14-22.**

Agenda Items F.2.117 and F.2.118 were discussed jointly. Refer to motion for approval under Agenda Item F.2.118.

**118. Department of Public Safety - Division of Parole and Probation - FY 2022**

Transfer of \$1,496,758 from the Personnel category to the Officer Mobility category to fund the purchase of specialty equipment for sworn personnel to support the requirements of Assembly Bill 440 (2021 Legislative Session). Requires Interim Finance approval since the amount transferred to the Officer Mobility category exceeds \$75,000. **Work Program #C57743. RECEIVED AFTER SUBMITTAL DEADLINE, 1-14-22.**

Agenda Items F.2.117 and F.2.118 were discussed jointly.

TOM LAWSON (Administrator, Division of Parole and Probation, Department of Public Safety [DPS]):

Agenda Items F.2.117 and F.2.118 cover three different topics. The first two are the work programs being presented to the Committee, and the third is an informal report regarding the DPS Division of Parole and Probation (P&P), Records Management Systems (RMS) update. The Committee asked the P&P to provide updates on the RMS when we last spoke in December. While that is not on the agenda today, information relative to the RMS program is a key piece of information the Committee needs in order to make a decision on the work programs.

I anticipated that a question might come up about why the Committee should fund

this when the division has not proven that it can afford the RMS update. The contract has been signed by all parties and has been sent to the Governor's Office of Finance (GFO) for review and placement on the Board of Examiner's agenda in March. The P&P is very close to having the contract in place.

I would like to first talk about the policy elements and any operational comments or concerns the Committee may have on these two work programs. I have a spreadsheet I would like to share to show the cost breakdown for the new RMS contract, and how the P&P is going to fund that project within its savings for the year. Next year there will have to be a decision regarding savings again, as well as the money that has already been approved for the RMS.

I will start with the topic of officer mobility. Officer mobility is all encompassing, with several elements. Through agenda Item F.2.118, the P&P is requesting to upgrade the computer equipment issued to its sworn staff so that supervision of offenders can be conducted more efficiently in the field. I mentioned at the December 21, 2021, IFC meeting that one of the goals of the RMS update was to provide the opportunity and the ability to reduce hurdles to supervision and allow the P&P to be a more active and mobile and to supervise offenders in their natural environment. The rural offenders who live 20 miles outside of town should not have to try to catch a ride to meet with their parole officer, and the division wants to be more available to offenders regarding supervision.

This plan would also include the ability to print from the field. Our RMS can be accessed remotely, so the P&P will be able to update offender contacts from the field. If the offender does not have a copy of their parole or probation agreement, the P&P officer will print it for them from their vehicle using a thermal printer; the thermal printer also becomes the camera for documenting evidence items.

One of the requirements of the system is that there needs to be a standalone credit card portal that can be accessed from a tablet or the offender's own personal device to collect supervision fees or restitution payments. The transaction is made to a secure site. The officer can provide a receipt in the field in cases where property is seized or there is a sex offender whose phone is being seized for a search of pornographic material. This alleviates the need to go back and forth to the office, or to delay giving documents to the offender.

As part of the P&P's COVID-19 response, and having to move people out of the offices, it received a federal grant to provide cell phones for all its officers. Previously, only command-level staff had been budgeted for cell phones. The P&P used the grant to provide communication in the field, which has been very successful. In the past, when an offender called the office phone, it would be hit or miss as to whether they would get in touch with their supervising officer. The offenders now have a direct cell phone number. They can leave a voice mail, with the P&P being more responsive to the offenders. Text messaging is available in case the officer cannot answer the phone right away. In the future, the division will request cell phones as a budgeted item rather than grant funded.

MR. LAWSON:

The mobility decision unit in the work program allows the P&P to comply with the elements of A.B. 440 (2021 Legislative Session), in that certain offences must be issued a citation in lieu of arrest; the division did not have a mechanism in place to comply with that. In conversations with Senator Harris during the 2021 Legislative Session, the division was specifically removed from the applicability of that statute until it was able to comply, or until July 2023, when the full Legislature would have the ability to address the need. The division is trying to be proactive and comply with the statute.

There are several driving forces for the body-worn cameras. The public demands transparency in law enforcement actions, and in this case, the division agrees with them. The P&P submitted a paper with the work program regarding the State of Georgia's use of body cams for its parole and probation officers. An interesting finding is that when the public was asked about body cameras, they felt the devices were there to protect them from the police. The law enforcement officers felt that the body cam was a protection for them from some claims against the public.

Reducing court risk is very important. An example of how a body-worn camera can help is the situation in Las Vegas where an offender ran out of a convenience store, away from DPS officers. The convenience store camera was facing the door. From that camera view you could see the offender run through the door going outside, the officer reaching out to grab them, and the offender falling, hitting their head on the ground, and needing medical attention. From that camera angle it appeared that the officer pushed them, and there was use of force. A second camera angle showed that the officer was three and a half feet away from the offender when they fell. There was never any contact made; the offender tripped. The body camera would also have provided evidence that there was no contact between the officer and the offender in that case. Otherwise, it was a situation that could easily result in an unreasonable court claim for excessive force.

Both the public and law enforcement professionals have a desire for transparency as an element of public accountability. From the law enforcement side, it is very clear that video footage has exonerated far more officers than have ever been indicted.

Indicting and disciplining officers helps build public trust in law enforcement, and no law enforcement professional wants to work with somebody who is working outside the lines. Law enforcement's power is derived from the people. If the people do not trust in what law enforcement is doing, the body-worn camera will provide for a review to be in place.

In most cases where the officer has been found to be wrong, the officer has been terminated or criminally charged. I say good riddance. We want to protect the public and the officers, and body cams are an important tool for both sides of that equation.

ASSEMBLYWOMAN MONROE-MORENO:

We have heard in the media and in several conversations today about the officer vacancy rate. Please provide the Committee with an overview of the impact of the current vacancies in your division and describe what the P&P believes are the primary contributors to the large vacancy rate. Does the P&P anticipate the same level of vacancy in 2023?

MR. LAWSON:

Last week, the P&P talked with Fiscal staff about this very issue, and the division tried to reconcile what was shown in the HR Data Warehouse versus real-time data. The HR Data Warehouse is a little bit behind, but the data was close to what the division shows as its actual vacancy rate on a day-to-day basis.

Division records are updated to show personnel transactions, but there is a small amount of lag time for the information to be updated in the HR Data Warehouse. As of February 7, 2022, the P&P has 122 vacancies out of 582 allocated positions. One of those was authorized as an overfill position. There is a senior commander retiring, so someone was brought in a little early to help cross train this position. The number will be 581 for this year. In July 2022, there will be five or six caseload adjustments in the second year of the biennium.

Overall, the vacancy rate for the division's sworn officers is 18.2%; for nonsworn positions its 24.1%. A big element of the reduction from last year in the P&P's sworn vacancy rate was the approval of the low-risk supervision pods during the 2021 Legislative Session. The division downgraded 19 officer positions that were historically vacant to specialist positions to help with the administrative supervision functions of low-risk offenders. A large portion of those positions remain vacant, because as soon as the budgets were approved and became active on July 1, there was a delay in getting those positions activated in the HR Data Warehouse, and the division had to go through classification. The division is progressing forward with filling those low-risk supervision elements. A couple of those positions have already started, and several others are still undergoing background checks. The division is still recovering from vacancies due to the number of positions that it had to freeze because of budget cuts in the spring of 2020.

For the P&P's non-sworn positions, the vacancy rate will decrease considerably, because many of those positions were reclassified; the division has not been able to fully recruit and fill those positions yet but is making progress. The division is recruiting for the rest of those specialist classes and has experienced turnover within these classes, specifically the pre-sentencing investigations (PSI) positions. The PSI jobs can be difficult, and it is hard to find people that want to spend time sitting across the table from a murderer or a sex offender and listening to their life story in explanation of why they committed their crimes, and then having to relate this information to the judge for sentencing information. It takes a toll mentally and emotionally on the PSI staff and contributes to vacancy rates among these positions.

The P&P is not competitive in the market for sworn positions. Other agencies pay

100% of the retirement, but the division's employees must contribute half of their retirement. That is an immediate 20% reduction in pay. The other agencies starting wages are higher as well. There is a significant difference in the division's pay compared to its competition at the local and county level, and until the division is competitive, it is not going to be able to fill those positions.

Additionally, there is a public shift with fewer people being willing to work in law enforcement. Some of that has to do with the social view of law enforcement overall. There has also been a change in society's morals, and fewer people qualify for these positions. For example, drug use is more acceptable in society, but is not compatible with law enforcement. All those things contribute to the P&P's inability to hire and retain people. The biggest issue is the division's lack of competitive advantage compared to its allied agencies.

In summary, the division is asking for a considerable movement of money this year based on salary savings. While I think the projections will be less than in FY 2023, what the division is seeing in FY 2022 will still be substantial and will cover what is needed in year two to carry forward the maintenance of all three of these projects.

ASSEMBLYWOMAN MONROE-MORENO:

Thank you for the explanation and the honesty regarding why the vacancies exist. I am encouraged that the P&P is recruiting and getting a few people that are interested in applying, but I would agree that it is very hard to find people who are qualified to put on the uniform in today's society. I am not sure if the Committee has the time for a review of the numbers, but if the chair is willing, I would love to have those numbers sent to us.

ASSEMBLYMAN WATTS:

There will be some additional personnel time needed to work with the body cam systems. Does the P&P expect the additional time to be absorbed into existing staff time? I want to second the issues you have already raised, and the concerns that Assemblywoman Monroe-Moreno has been talking about for quite some time in terms of the work that this is creating, and how that is contributing to some of the vacancy issues. There are other budget issues in terms of hardware replacement and services. How will the division ensure it will have enough savings in FY 2023 to support any known and unknown ongoing expenditures related to administering the bodycam?

MR. LAWSON:

From the time I started at the P&P in 2017, the division has been reverting well over an average of \$1 million, and sometimes closer to \$2 million, per fiscal year. For FY 2022, the division is projecting to revert \$6.5 million in salary savings due to vacancies. Costs in year two for maintenance of the mobility unit would be about \$150,000. That cost is for extra paper for printers and service charges for cell phones.

For Axon (the body worn cameras), the cost is about \$384,000 in the second year for licensing. At some point, for the RMS, the division will need to request approval



to make adjustments based on its projections of about \$450,000 from next year. In total, the division is looking at \$984,000, which is 15% of the amount it has in savings this year. Hypothetically, a conservative estimate is that the division would only need to revert half of this amount next year. The division is still looking at reverting just over \$2 million after it pays for these other elements and is very confident that the money will be there. The division would rather have the positions filled, but this is an opportunity to advance its technology.

If the division were submitting this as a decision unit for its budget, the optimum solution regarding personnel would be to include some additional administrative staff to perform some of the support functions for these programs. The division's RMS update is going to modernize its processes and provide many technological advancements and opportunities for technology efficiencies. The division assumes some of those efficiencies will assist it in year two to pay for those support functions, at which time it can evaluate and put forward a decision unit for appropriate staff for the next biennium.

The division would need to look at a decision unit of about \$450,000 to move money between years for the RMS. Everything the Legislature has approved for the P&P is accounted for, but the division will need legislative action to adjust the monies across fiscal years to FY 2024 and FY 2025.

The spreadsheet on page 243 of the Meeting Packet - Volume III ([Exhibit C](#)) will show that based upon money that has already been approved by the Legislature, and looking at the money that would have been in place for FY 2024 and FY 2025 based upon the previous contract that was terminated, when taking into account the money that was inadvertently reverted with the decision unit to try and shift money forward from last biennium to this biennium, the P&P is able to fully pay for the RMS system and associated maintenance through completion of FY 2025 without asking for any more funding. All told, the division will be able to give back \$100,000 that it was already approved for while paying for the completion of the new system in FY 2025. This is a good accomplishment given the hurdles and setbacks and the lost money that was attributed to the Tyler contract.

ASSEMBLYMAN WATTS:

I certainly agree that the Committee would love to have the positions filled. The Committee appreciates all that the P&P, and its partners are doing in public safety, especially given some of the conditions and vacancies.

Would the P&P delay or refrain from filling its vacant positions to generate the savings needed to support this request in FY 2023? The estimates are conservative, and the division is already doing all that it can to fill vacancies.

MR. LAWSON:

The division would not stop recruiting just to create savings for these programs.

ASSEMBLYMAN ROBERTS:

Regarding the tablets, when does the P&P anticipate it will be able to issue

citations? Have ongoing costs been factored in?

MR. LAWSON:

The division is ready to submit the order, and its representative from the manufacturer is ready to receive that order. There are supply chain and delivery issues, but the manufacturer has assured the division that there will not be any problem getting the full order completed by the receipt date of the close of the fiscal year.

I expect the devices will come in batches with several shipments. The devices will need to be properly imaged by the Department of Administration, Enterprise Information Technology Services (EITS) during deployment, and there will be in-house training for the P&P officers.

The element of citations is not that complex. I have been involved in three different iterations of the citation project with DPS Nevada Highway Patrol. I was one of the developers of the latest iteration of the Brazos Technology system that the P&P will be using. The division does not expect to issue a ton of citations. The point has never been to turn the P&P into citation writers or traffic enforcers, rather citations are for the offenders to avoid unnecessary trips to jail for things that can be handled at a lower level, while still addressing the crime.

The P&P must have devices in hand by around August 12, 2022, or the money expires. As soon as it gets the devices, the division will start deploying them. The cycle time will depend on the capability of EITS to image the 300 or more computers and push them out into the field. The division wants the devices in hand and deployed as quickly as possible, because the devices are the foundation for the division's technological efficiency improvements.

ASSEMBLYMAN ROBERTS:

Does the division have a Gantt chart that shows projected implementation time?

MR. LAWSON:

The division does not have that chart yet, because it does not have a delivery date from the manufacturer.

ASSEMBLYMAN ROBERTS:

You said you do not anticipate writing a lot of citations. Have you examined the workload? Is an automated system the way to go, or could the P&P have used paper citations instead? Is the division getting benefits from the technology other than making citations easier to write?

MR. LAWSON:

The P&P is getting other benefits besides the ability to write citations. The issue with paper citations is that they are more staff-intensive behind the scenes. Additionally, electronic citations create efficiencies for courts and prosecutors. The courts initially agreed to the electronic system in the late 1990s because the systems would not need dedicated data-entry staff. For paper citations, data entry

staff need to convert the paper ticket to an electronic ticket for transmission to the courts. The courts no longer have staff to perform that data entry.

Obviously, the division loses efficiency when additional work is created for its staff. The division does not have the staff to process paper tickets now and would need additional staff for the data entry element.

ASSEMBLYMAN ROBERTS:

How many tickets do you anticipate issuing? If you only issue five tickets a months per employee, that is not a huge workload. If you are getting other benefits from the technology, that is fine.

MR. LAWSON:

We do not yet know that number. For each ticket issued, the P&P can expect the same number of subpoenas for court cases. That is one of the reasons the division felt it could absorb the work with existing staff in the short run; it does not anticipate a rush to issue citations.

Most citations will be cases where the P&P finds evidence of a crime at a house. Do you address that low-level crime with a five-hour trip to the jail for booking, before a visit to the courts? The offender could be fired from their job because they are away from work. The issue can be addressed quickly and easily with a citation.

The supervising officer will be in the offender's house. If the officer finds evidence of a crime from that person, it can be addressed by citation. Before, the officer would have to request a warrant or a summons, make the arrest, or just ignore it. Issuing a citation - anywhere from criminal to traffic - takes less than five-minutes. Otherwise, the officers and offenders would spend hours upon hours in booking and court.

ASSEMBLYMAN ROBERTS:

We are getting other benefits from the citation technology. I support you having the best equipment out there, and certainly feel comfortable that the division is not going to stop recruiting and is still going to fill those vacancies. I will pledge my support to fix whatever the Committee can on the pay issues to help recruiting and retention, because I think the division is suffering from the Committee's lack of support in that regard.

SENATOR HARRIS:

I thank Mr. Lawson for our conversations and for being proactive in implementing some of the legislation passed during the 2021 Legislative Session; some agencies are not as proactive. I appreciate you coming out and trying to get ahead of this. I might take you on a cross-state tour to talk about the cost of incarcerating folks, and what the state is trying to do by giving people these tickets.

SENATOR DENIS:

Will EITS support the devices?

MR. LAWSON:

EITS will provide desktop support for the tablets. The P&P pays EITS for desktop support on a per device or per person basis as part of its base allocations. EITS performs the initial imaging, because the P&P does not have the administrative rights to do that; this is all part of the division's typical EITS allocation.

SENATOR DENIS:

Did the division include the cost of EITS support for the devices in its allocation?

MR. LAWSON:

That was not included, because the P&P is already paying for that on an annual basis per employee. Each year the division pays EITS for desktop support on a position control number (PCN) basis. There should not be any additional costs associated with the imaging of any of these devices, because the division is already paying EITS for that service.

SENATOR DENIS:

Are these additional devices above the number that EITS agreed to provide support to?

MR. LAWSON:

The EITS charge is based upon a PCN. The division pays EITS a certain number of dollars per PCN, per year for desktop services and support. Whether they are imaging the new device, providing help desk support, or fixing a broken computer, there is no additional cost, because the division is already paying EITS, per PCN, for that service.

SENATOR DENIS:

Do the devices use cellular to connect?

MR. LAWSON:

Yes, cellular phones will be used as the hot spot. Each one of the P&P's devices will have a VPN with dual-factor authentication. The division does not want its officers using open Wi-Fi as a connection point. There are lots of security issues there. Criminal history security is paramount. Security elements will be in place to ensure encrypted transmissions and compliance with FBI criminal history transmissions.

SENATOR DENIS:

Will there be an additional cost for additional usage of the cell service?

MR. LAWSON:

The state contract is for unlimited data, without throttling, so there will be no additional cost. The only thing that will limit the P&P in terms of connectivity is terrain. Obviously, the state's rural areas do not have the same coverage as its urban areas, but the division will work around that.

ASSEMBLYWOMAN KASAMA:

I am concerned about the 20% vacancy rate, and request that the P&P put in extra funding to make the position salaries more compatible with other areas.

ASSEMBLYWOMAN MONROE-MORENO MOVED TO  
APPROVE AGENDA ITEMS F.2.117 AND F.2.118.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE  
MEMBERS PRESENT.

**119. Department of Health and Human Services - Health Care Financing and Policy - Nevada Medicaid, Title XIX - FY 2022**

Addition of \$443,208 in federal Title XIX grant funds and \$201,084 in Home and Community-Based Services (HCBS) Reinvestment funds to provide a 6% supplemental payment to HCBS providers that were affected by the 6% rate cuts approved during the 31<sup>st</sup> Special Session (2020) with the increased funding provided by the federal American Rescue Plan Act (ARPA). Requires Interim Finance approval since the amount added to the HCBS - ARPA category exceeds \$75,000. **Work Program #C57923. RECEIVED AFTER SUBMITTAL DEADLINE, 1-14-22.**

Agenda Items F.2.113, F.2.114, F.2.115, F.2.116, F.2.119 and F.2.120 were discussed jointly. Refer to motion for approval under Agenda Item F.2.120.

**120. Department of Health and Human Services - Health Care Financing and Policy - Nevada Medicaid, Title XIX - FY 2022**

Addition of ~~\$7,687,171~~ **\$3,457,314** in federal Title XIX grant funds and ~~\$3,487,665~~ **\$1,568,581** in Home and Community-Based Services (HCBS) Reinvestment funds to provide supplemental payments to HCBS providers receiving below the minimum wage standard with the increased funding provided by the federal American Rescue Plan Act (ARPA). Requires Interim Finance approval since the amount added to the HCBS ARPA category exceeds \$75,000. **Work Program #C57929. RECEIVED AFTER SUBMITTAL DEADLINE, 1-14-22. REVISED 1-27-21.**

Agenda Items F.2.113, F.2.114, F.2.115, F.2.116, F.2.119 and F.2.120 were discussed jointly.

SUZANNE BIERMAN (Administrator, Division of Health Care Financing and Policy, DHHS):

I appreciated the opportunity today to provide background information on the division's work programs. All the work programs presented in this block are related to Section 9817 of the American Rescue Plan Act (ARPA). This section of ARPA is specific to Medicaid and can only be used to support home and community based long-term services and support.

While the CMS has been committed to supporting home and community-based alternatives to institutional care for quite a while, this opportunity represents a historic and unprecedented level of investment for these services, and the workers that provide them. The division knows that consumers value having options in how and where they receive needed long-term care services, and this opportunity enhances and strengthens the services available to Nevadans to help them stay in their homes and communities.

The funding provides states with a temporary 10-percentage point increase to the Federal Medical Assistance Percentage (FMAP) for certain Medicaid Home and Community-Based Services (HCBS) expenditures made between April 1, 2021, and March 31, 2022. Services eligible for this enhanced match include home and community-based services, like home health care, personal care services, behavioral health rehabilitative services, and many other things.

This program allows the state to reinvest savings from the increased federal match to strengthen and enhance the HCBS system; HCBS is defined in this section of ARPA. Basically, that pot of money must be reinvested into the state's behavioral health system. There is an outline of expenditures and services that reinvestment funds can be applied toward.

The reinvestment funds are treated like state funds and can be used as the non-federal share of Medicaid expenditures. The funds can be matched with federal funds at the appropriate match rate. For example, the funds can be used to match 50/50 for administrative expenditures, or higher for medical expenditures. These expenditures use no state funds; they are funded with the HCBS ARPA reinvestment funds.

The division has been working closely with stakeholders on these initiatives since the summer. Today, all these work programs are related to this initiative and will support the state's home and community-based services.

PHILLIP BURRELL (Deputy Administrator, Division of Health Care Financing and Policy, DHHS):

Agenda Item F.2.113 describes the HCBS supplemental payment work program for personal care services and intellectual or developmental disability services. This work program has no State General Funds applied to it. These are reinvestment funds that are awarded to the Medicaid program through the 10% FMAP adjustments to allow for additional reinvestment into HCBS programs.

This specific work program is for a supplemental payment for personal care services and intellectual or developmental disability providers. This initiative will allow the division to temporarily provide payments as a percent increase from the current reimbursement rate to adjust for an incentive to support. This will include provider types for home health care, personal care services, adult day or adult day health care, and intellectual or developmental disability.

To determine these amounts, the division performed a calculation from its existing

data of supplemental payments to these provider types for the period of April 1, 2021, to February 28, 2022.

ASSEMBLYWOMAN PETERS:

Can the 10-percentage point HCBS FMAP increase be used as state funding toward receiving additional federal Medicaid matching funds?

MR. BURRELL:

That is correct.

ASSEMBLYWOMAN MILLER:

How did the agency select and prioritize programs to be supported with HCBS reinvestment funding?

MR. BURRELL:

Those selections came after much stakeholder engagement. The division held stakeholder sessions and open forum activities for its provider communities specific to this group and reached out for additional thoughts and guidance. The division also performed research to better understand what other states planned to do with this historic program. This information was pulled together to identify activities and programs to help support provider communities.

ASSEMBLYWOMAN BENITEZ-THOMPSON:

There will be funding for the Program of All-Inclusive Care for the Elderly (PACE) program, which the Committee has been trying to get off the ground since 2009 when the legislator who represented my district before me passed legislation. There have been many discussions on the program. The fact that money is being put into it now, more than 13 years down the road, is exciting. I know the funding is temporary, and we still must figure out how to support the program in the long run.

The supplemental payments will restore cuts to providers. This is a one-time cost impact of \$628,000. Some providers were not affected by the cuts because the paper trail did not catch up in time for the actual payment. For some of the providers, the cuts were enacted, and there was a reduction to the amount they were paid. How are we going to repay those providers?

MR. BURRELL:

That specific work program reflects the 6% rate reductions from the waiver provider types. The division is anticipating \$640,000 or so supplemental payments specifically for 350 providers. That averages to about \$1,800 to supplement each provider for what happened during the early stages of the pandemic.

The goal of this work program is to help rectify, through a direct payment, the providers that were affected by the 6% rate cut from December 1, 2020, to June 30, 2021. This specific work program will address the period of time where the providers were affected by the 6% rate cut. After June 30, 2021, the division

was able to restore the 6% back to those providers.

ASSEMBLYWOMAN TITUS:

One provider type has been identified to be paid back the 6% rate. Is there a plan for the other providers who experienced rate cuts to be made whole again?

MR. BURRELL:

The adjustment is for two provider types and is reflective of those providers that were affected by economic conditions. I believe the division is addressing all providers who experienced a rate cut, but I will check to make sure nothing was missed.

ELLEN CRECELIUS (Actuarial Economist, Division of Health Care Financing and Policy, DHHS):

The division was in the process of getting CMS approval for the 6% rate reductions from A.B. 3 (31<sup>st</sup> Special Session) when the Legislature reversed its course. The only provider types that CMS approved for the 6% rate cut were the specific waiver provider types. That is why the division is trying to make these providers whole now.

ASSEMBLYWOMAN TITUS MOVED TO APPROVE  
AGENDA ITEMS F.2.113, F.2.114, F.2.115, F.2.116, F.2.119  
AND F.2.120.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE  
MEMBERS PRESENT.

**121. Department of Corrections - High Desert State Prison - FY 2022**

Addition of \$233,360 in Budgetary Transfers to the Maintenance Buildings and Grounds category to replace the filter media in the evaporative cooling systems. Requires Interim Finance approval since the amount transferred to the Maintenance Buildings and Grounds category exceeds \$75,000. **RELATES TO ITEM F.2.122. Work Program #C57359. RECEIVED AFTER SUBMITTAL DEADLINE, 1-21-22.**

Refer to motion for approval under Agenda Item F.1.

**122. Department of Corrections - Northern Nevada Correctional Center - FY 2022**

Deletion of \$233,360 in the Personnel category as Budgetary Transfers to fund the replacement of filter media in the evaporative cooling systems at High Desert State Prison. Requires Interim Finance approval since the amount deleted from the Personnel category exceeds \$75,000. **RELATES TO ITEM F.2.121. Work Program #C57603. RECEIVED AFTER SUBMITTAL DEADLINE, 1-21-22.**

Refer to motion for approval under Agenda Item F.1.



**123. Department of Corrections - Prison Medical Care - FY 2022**

Addition of \$5,343,282 in Coronavirus Aid, Relief and Economic Security (CARES) Act, Coronavirus Relief Funds transferred from the COVID-19 Relief Programs account to reimburse fully eligible titled staff and overtime costs incurred through December 31, 2021, for expenditures resulting from the COVID-19 pandemic. Requires Interim Finance approval since the amount added to the Personnel Services category exceeds \$75,000. **Work Program #221CRF3706. RECEIVED AFTER SUBMITTAL DEADLINE, 1-22-22.**

Refer to motion for approval under Agenda Item F.1.

**124. Department of Agriculture - Livestock Inspection - FY 2022**

Transfer of ~~\$283,555~~ **\$239,526** from the Reserve category to the Operating category **and \$44,029 from the Personnel Services category to the Operating category** to fund temporary employment services to perform inspections due to delays in onboarding temporary positions into intermittent state-employed positions and to fund an increase in administrative fees for the temporary employment agency. Requires Interim Finance approval since the amount added to the Operating category exceeds \$75,000. **Work Program #C58020. RECEIVED AFTER SUBMITTAL DEADLINE, 1-24-22. REVISED 1-25-22.**

SENATOR GOICOECHEA:

At the last meeting the of Committee, I expressed my concern about being able to pay agriculture enforcement personnel out of the Livestock Inspection budget. Will this transfer of reserves be adequate to get the Nevada Department of Agriculture (NDA) over the hump?

KATIE JAMESON (Fiscal Administrator, NDA):

Are you asking whether the NDA has adequate reserves to transition Manpower staff to full-time staff?

SENATOR GOICOECHEA:

Yes, because we do not see lots of changes happening in the brush. The temporary inspectors have not been notified of their status. Thirty days from now the state will be in the spring run, and it does not have enough inspectors. These inspections are required by law.

MS. JAMESON:

The NDA has worked closely with the Governor's Office of Finance (GFO) to monitor these projections to determine whether another adjustment is needed to get the department over the hump. The department has made this a priority and is working with the Department of Administration, Division of Human Resource Management (DHRM) through the recruitment process. The NDA has opened a recruitment, but there are lots of moving parts, and lots of things out of its control. The department is going through the recruiting process while there is a shortage of workers and must do interviews and complete personnel paperwork before it can onboard the new staff. The DHRM assures the NDA that it can work with us in a 60-to-90-day period to try to onboard the new staff as fast as possible.

SENATOR GOICOECHEA:

There will be another IFC meeting within that timeframe. I hope the NDA does not request to transfer more reserves at that time.

SENATOR GOICOECHEA MOVED TO APPROVE AGENDA  
ITEM F.2.124.

ASSEMBLYWOMAN MONROE-MORENO SECONDED  
THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE  
MEMBERS PRESENT.

## RECLASSIFICATIONS

Refer to motion for approval under Agenda Item F.1.

Agency	Agency/ Account Number	Position Number	Present Class, Code, Grade and Salary	Proposed Class, Code, Grade and Salary
Department of Health and Human Services	402/3279	0194	Developmental Specialist III Code: 10.140 Grade: 35/10 Employee/Employer Paid Retirement: \$76,170.24	Social Services Program Specialist II Code: 12.318 Grade: 35/10 Employee/Employer Paid Retirement: \$76,170.24
Department of Health and Human Services	402/3209	2085	Developmental Specialist III Code: 10.140 Grade: 35/10 Employee/Employer Paid Retirement: \$76,170.24	Social Services Program Specialist II Code: 12.318 Grade: 35/10 Employee/Employer Paid Retirement: \$76,170.24
Department of Conservation and Natural Resources	705/4171	0015	Administrative Assistant IV Code: 02.210 Grade 29/05 Employee/Employer Paid Retirement: \$47,188.80	Personnel Analyst I Code 07.527 Grade 32/04 Employee/Employer Paid Retirement: \$51,281.28
Department of Health Care Financing and Policy	403/3158	0181	Social Services Program Specialist I Code: 12.323 Grade 33/08 Employee/Employer Paid Retirement: \$63,746.64	Management Analyst I Code 7.637 Grade 33/08 Employee/Employer Paid Retirement: \$63,746.64

## G. STATEMENT OF CONTINGENCY ACCOUNT BALANCE.

WAYNE THORLEY (Senate Fiscal Analyst, Fiscal Analysis Division, LCB):

The Statement of Contingency Account Balance can be found on page 353 of the

Meeting Packet - Volume III ([Exhibit C](#)). Before any actions by the IFC today, the total funding available in the IFC Contingency Account is \$36.9 million. That is made up of \$26.1 million in the unrestricted General Fund portion, \$1.6 million in the unrestricted Highway Fund portion, and \$9.1 million in the restricted portion.

There are three requests for allocations from the IFC Contingency Account before the Committee today. All three requests are for allocations from the unrestricted General Fund balance. The total amount of the three requests combined is \$7.3 million. If all requests are approved by the Committee today, \$18.8 million will remain in the unrestricted General Fund portion of the IFC Contingency Account. If all the items are approved, there will be a total of \$29.6 million remaining in the IFC Contingency Account.

**H. REQUESTS FOR ALLOCATION FROM THE IFC CONTINGENCY ACCOUNT (GENERAL FUND) PURSUANT TO NRS 353.268 (Note: IFC may approve a different amount for an allocation than the amount requested).**

- 1. OFFICE OF THE SECRETARY OF STATE - Request for an allocation of ~~\$3,426,158~~ **\$2,206,158** to cover costs associated with the implementation of Assembly Bill 321 (2021 Legislative Session). **REVISED 1-31-22.****

MARK WLASCHIN (Deputy Secretary of State for Elections, Office of the Secretary of State [SOS]):

The SOS is requesting \$2,206,158 to cover costs associated with the implementation of Assembly Bill (A.B.) 321 (2021 Legislative Session). This request for Contingency Funds was developed through numerous discussions with the state's 17 county election officials and is for the necessary items and services needed to successfully implement A.B. 321 for the 2022 election cycle. The SOS anticipates identifying the requirements for the 2024 election and future election cycles as part of its budget proposal for the 2023 Legislative Session.

ASSEMBLYMAN YEAGER:

I am particularly interested in the sorting of the ballots, and the sorters, extractors and counters that are being requested. My question has two parts. How did the counties extract and sort the ballots in 2020 when they did not have the requested equipment? Also, what issues, if any, were experienced because of not having the sorting and extracting equipment in 2020?

MR. WLASCHIN:

In 2020, the counties sorted the ballots manually. The issues and concerns that resulted from the manual process were whether the counties would meet their statutory timeline, which is an important factor. The implementation of A.B. 321, the processes that election officials experienced in 2020 (recognizing these processes were codified for future election cycles), and an anticipated increase in the number of voters using the mail-in ballots is what drove this requirement. The clerks recognized that as voters continued to increase the number of mail-in ballots that are cast across each county, the requirements to sort by precinct would continue to go up and could be even more manpower-intensive, but that the workload could be mitigated using these types of machines.

CHAIR BROOKS:

I want to understand the timing a little bit better. This issue was presented in A.B. 321 (2021 Legislative Session) to both the money committees and the Assembly Committee on Legislative Operations and Elections. There was a fiscal note with the bill. Why is this request coming up after the fact, when the lessons learned that generated this request were learned before the 2021 Legislative Session?

MR. WLASCHIN:

The SOS did provide a fiscal note to the 2021 Legislature related to A.B. 321. This was done using the best information at the time, given the situation and what the SOS learned from 2020. Since then, both at the state and county level, the SOS has been working diligently to talk to other states, such as Utah, Oregon, and Colorado, that have employed vote by mail. These discussions were set up to hear what the states did and view these activities through the lens of the Nevada electorate and the needs of the county clerks. In those discussions, the SOS identified several factors that are not specific to the other states, but are lessons learned after doing vote by mail for five or six years. The SOS asked about the sort of things that the states wished they had understood early in the process. Those conversations helped shape and refine the SOS' understanding of the process and helped illuminate the items on this request.

While the SOS tried its best during the 2021 Legislative Session, these later conversations resulted in the information in front of you today.

CHAIR BROOKS:

Does this request reflect the full input and cooperation of the counties?

MR. WLASCHIN:

Yes, this request is specifically for the essentials for the 2022 election cycle, based on input from all 17 counties. There were certainly some "nice to haves" that may come further down the line that are not included in the request.

ASSEMBLYMAN HAFEN:

Regarding the signature curing software, the Office of the Attorney General (OAG) is now prosecuting individuals for at least one falsified ballot. Will the new software help the OAG to prosecute in the future, or will this cut it off at the forefront, so those ballots do not even get counted initially?

MR. WLASCHIN:

The signature curing software is not intended to assist the OAG, as it is more concentrated on helping voters. You may remember, during the 2020 General Election cycle, there were approximately 12,584 ballots that required signature curing. When those ballots came into the clerks, if there was a question about the signature, a staff member reached out to the voter to confirm that was in fact their ballot and talked to them about their signature. Of the ballots that required signature curing, 2,887 were not cured. The voter did not reply to the phone calls, text messages, post cards, or other types of notification systems that were

employed for the voter to contact the clerk's office. As a result, this system of "Text-to-Cure" is another tool to enable voters to successfully cure their ballot and make sure the ballot is counted and cast appropriately.

ASSEMBLYWOMAN TITUS:

Would you clarify again the number of ballots that were not counted because they could not be cured?

MR. WLASCHIN:

There were 12,584 ballots during the 2020 election cycle that required signature curing. Of those, 2,887 were not counted, because the voter did not respond to our efforts to reach them, and the signature could not be confirmed.

CHAIR BROOKS:

I appreciate what the SOS is doing. Safe, secure, free, and fair elections should be one of the state's top priorities. This request by the SOS goes a long way toward making those things a reality. I appreciate the work done by the SOS on this work program, and the elections in general.

ASSEMBLYWOMAN MONROE-MORENO MOVED TO  
APPROVE AGENDA ITEM H.1.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE  
MEMBERS PRESENT.

2. **DEPARTMENT OF INDIGENT DEFENSE SERVICES** - Request for an allocation of \$62,010 to fund a data analyst contract position to complete a wage salary survey, incentive program analysis and a review of oversight procedures for indigent defense services.

MARCIA RYBA (Director, Department of Indigent Defense Services):

Through Agenda Item H.2, the Department of Indigent Defense Services is requesting funds to hire a data analyst to conduct a salary survey aimed at equalizing compensation for both institutional and contract public defenders, analyzing whether there is a shortage of rural public defenders, and determining the best way to create a pipeline to get public defenders into rural counties. The funds will also be used to design a process for the department to provide oversight of contract public defenders throughout the counties. The department believes this funding is necessary to comply with the mandate set forth in NRS 180 as well as the requirement in the stipulated consent judgement that was filed in the *Davis v. State* case.

ASSEMBLYWOMAN MONROE-MORENO MOVED TO  
APPROVE AGENDA ITEM H.2.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

3. **STATE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES - Division of Forestry** - Request for an allocation of ~~\$4,995,794~~ **\$5,020,828** to cover emergency response expenses within the Forest Fire Suppression Budget Account. **REVISED 1-27-22.**

RYAN SHANE (Deputy Administrator, Division of Forestry, Department of Conservation and Natural Resources [DCNR]):

Through Agenda Item H.3, the DCNR Division of Forestry is requesting \$5,020,828 out of the IFC Contingency Account for the purpose of paying emergency response costs in the form of bills on hand, as well as bills expected to come in through April 2022, and to fund personal protective equipment (PPE) for the firefighters that will be responding this year to wildfires.

Nevada's fire season is no longer a season, it is in fact extending throughout the year. Part of this is due to climate change. There was recently a 20-acre fire near Pyramid Lake and a 125-acre wildfire in Elko County.

While the December 2021 snowpack built in Northern Nevada, in general, the state is still in a drought condition (with the south-central portion of the state being in an extreme drought condition). This makes the state particularly prone to wildfire in woody vegetation type areas, such as woodlands, forests, and heavy brush ecosystems.

Overall, the state just had the driest January on record. Late winter or early spring precipitation could result in grass growth, which would put the rest of the ecosystems and lowlands at risk for wildfires.

Most fires are multi-jurisdictional in the state. As a reminder of how the division's billing system works, bills go through an adjudication process where the affected jurisdictions pay according to the impacted lands in their area. That adjudication process can be lengthy - typically about one to two years. If the division responds to a wildfire outside of Nevada, those costs are reimbursed to the state.

SENATOR DONDERO LOOP:

Can the division provide an update on the reimbursement revenues it anticipates receiving during the remainder of the fiscal year and how it would address any remaining budget shortfall in FY 2022?

MR. SHANE:

I do not have a specific number on the reimbursement projections. The division works with the LCB and the GFO to come up with a projection to create this request. Currently, it looks like of the division has \$1.5 million in bills within this fiscal year to be adjudicated in the future. The division's plan is to attempt to get the reimbursements that it is due, balance those against the costs incurred, and lessen the impact to the Contingency Account. If the Committee wants absolute

numbers, I can provide those at a later date.

SENATOR DONDERO LOOP:

I do not need absolute numbers. Thank you for all that you and your team do. Be safe out there.

SENATOR DONDERO LOOP MOVED TO APPROVE  
AGENDA ITEM H.3.

ASSEMBLYWOMAN MONROE-MORENO SECONDED THE  
MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE  
MEMBERS PRESENT.

- I. REQUEST FOR APPROVAL TO ACCEPT GIFTS AND GRANTS  
PURSUANT TO NRS 353.335 - DEPARTMENT OF WILDLIFE** - Request for  
approval to accept a donation from Nevada Gold Mines, LLC in the amount of  
\$46,476 to purchase aerial seeding for the Toiyabe Fingers Mule Deer Habitat  
Treatment Project.

ALAN JENNE (Administrator, Habitat Division, Nevada Department of Wildlife [NDOW]):  
Through Agenda Item I, NDOW is requesting approval of a donation of \$46,476 from  
Nevada Gold Mines, LLC to implement mitigation adjacent to one of the mining projects  
in central Nevada. This is a rehabilitation project in Mule Deer winter range and is an  
ongoing project that NDOW and Nevada Gold Mines have been jointly working on.  
NDOW is seeking approval pursuant to NRS 353.335.

CHAIR BROOKS:

Is this part of a mitigation plan or any sort of a settlement?

MR. JENNE:

The request is part of a voluntary agreement by Nevada Gold Mines, LLC as it was going  
through its needs process. Nevada Gold Mines, LLC realized the consequence of the  
project and was looking for an offset adjacent to a project that they had impacted.

SENATOR GOICOECHEA:

Where is the site?

MR. JENNE

The site is south of the Cortez project, at the north end of the Toiyabe Range, close to  
the Lander and Eureka County line.

ASSEMBLYWOMAN KASAMA MOVED TO APPROVE  
AGENDA ITEM I.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE MEMBERS PRESENT.

**J. REQUEST FOR TRANSFER FROM THE INTERIM FINANCE COMMITTEE'S ACCOUNT FOR FORECLOSURE MEDIATION ASSISTANCE PURSUANT TO NRS 107.080(13)(b) - Request for the transfer of ~~\$175,000~~ \$175,052.67 from the Account to Home Means Nevada, Inc. for support of the program for foreclosure mediation. REVISED 1-19-22.**

SHANNON CHAMBERS (Labor Commissioner, Nevada Labor Commission; President, Home Means Nevada, Inc. [HMN]):

I am requesting approval of the transfer of \$175,052 from the IFC Account for Foreclosure Mediation Assistance to HMN to continue to fund its Foreclosure Mediation Program.

ASSEMBLYWOMAN JAUREGUI:

How would HMN remain solvent, should notice of default fee and foreclosure mediation fee revenue collections be insufficient to cover program expenditures in the future? Although the numbers in the last quarter have continued to increase, are there any concerns that there would not be enough fees to cover the program expenses?

MS. CHAMBERS:

You are correct. Notice of defaults are going down, and delinquencies are down to pre-pandemic levels. The bad news for the Foreclosure Mediation Program is that the program is funded by notice of default fees. Unless the Legislature potentially raises those fees going into the 2023 Legislative Session, or there is another source of funding, the program will not be solvent. I anticipated this situation in 2017 when I was appointed.

Because Home Means Nevada is a nonprofit, it cannot bring forward a bill draft request. That is something I would be happy to discuss with any legislator or industry representative. This topic will probably need to be discussed in the 2023 Legislative Session. I would also like to point out that Home Means Nevada has only three staff and no new staff have been brought on since I was appointed.

ASSEMBLYWOMAN JAUREGUI:

The Foreclosure Mediation Program was created out of need during the Great Recession. Even at the height of the foreclosures, the program was not utilized by all homeowners. I agree that because the numbers of notice of defaults are down to pre-pandemic levels, there will need to be conversations as to whether the program needs to exist. If HMN receives a couple hundred notice of defaults, and a small percentage of those end up participating in the program, it might be something that will have to be looked at.

ASSEMBLYWOMAN KASAMA:

Can the Committee have a report on how many people have tried to use the program, and what was the result of using the program?

MS. CHAMBERS:

Home Means Nevada's annual report for the last year is included in the meeting materials on page 63 of the Meeting Packet - Volume IV, ([Exhibit D](#)). The reality is that 6% of



eligible homeowners participated in the Foreclosure Mediation Program. Even at the height of the first housing crisis in the mid-2000s, the participation rate in the program was anywhere between 3% to 6%.

ASSEMBLYWOMAN MONROE-MORENO MOVED TO  
APPROVE AGENDA ITEM J.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE  
MEMBERS PRESENT.

- K. REQUEST FOR APPROVAL TO REVISE AMOUNTS AUTHORIZED FOR ENVIRONMENTAL IMPROVEMENT PROGRAM PROJECTS IN THE LAKE TAHOE BASIN PURSUANT TO SENATE BILL 438(2)(2)(b) (2011 LEGISLATIVE SESSION) - STATE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES - DIVISION OF STATE LANDS - Fund to Protect the Lake Tahoe Basin - Request for approval to reduce the amount authorized for *forest health projects* by **\$35,064**, water quality projects by ~~\$1,098,241~~ **\$509,142** and sensitive species projects by ~~\$200,000~~ **\$216,035**, and increase contingency money to carry out environmental improvement projects by ~~\$1,298,241~~ **\$760,241** to ensure upcoming projects have sufficient funds available. REVISED 1-27-22.**

CHARLES DONOHUE (Administrator, Division of State Lands, DCNR):  
The DCNR Division of State Lands implements the Nevada Environmental Improvement Program (EIP) in the Lake Tahoe Basin. This program is primarily funded through the sale of general obligation bonds as offered by legislation. The purpose of this request is to enable the agency to fulfill and expend EIP bonds sold in 2019 to successfully transition to the 2021 bonds without interruption of project delivery.

Pursuant to good accounting principles that were established with the Office of the Treasurer, the Division of State Lands would like to move with reimbursements "first in, first out." The division is unable to expense 2021 bonds until the 2019 bonds are fully spent and is currently near the end of expending bond funds sold in 2019 under S.B. 438 (2011 Legislative Session). Senate Bill 438 imposes expenditure authority limits on EIP program categories, including forest health, recreation, water quality, sensitive species, invasive species, and contingency. The division has hit the maximum authority in the Recreation Program category and is nearing the maximum in the Forest Health and Contingency categories.

The proposed solution before the Committee is to transition all remaining authority in each EIP category to the Contingency category. This will allow the division to expend project funds in any EIP program category, granting it the flexibility to fully expend the 2019 bonds, and enable a seamless transition to the 2021 bond series. If the division had a reimbursement request, it would work with the Office of the Treasurer to move that request out of contingency in the custodial accounts that the office holds for the division and into a specific project category, depending on which program area that invoice, or

reimbursement request came in. A ledger would also be kept until the 2019 series is fully expended.

ASSEMBLYWOMAN MONROE-MORENO MOVED  
TO APPROVE AGENDA ITEM K.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY WITH THE  
MEMBERS PRESENT.

- L. REQUEST FOR APPROVAL TO ACCEPT GRANTS AND CHANGE THE SCOPE OF A CAPITAL IMPROVEMENT PROJECT PURSUANT TO NRS 341.121 AND NRS 341.145(1)(f) - DEPARTMENT OF ADMINISTRATION -** State Public Works Division - Request for approval to accept and expend \$535,127 in grant funds from the Governor's Office of Energy and \$694,905 in grant funds from NV Energy for CIP Project 21-S05, Statewide Paving Program, and to modify the project scope to include the installation of electric vehicle charging stations at 12 locations throughout Nevada. **RELATES TO WORK PROGRAM F.2.1.**

Agenda Item F.2.1 and Agenda Item L were discussed jointly.

JENNIFER TAYLOR (Deputy Director, Governor's Office of Energy [GOE]):

The GOE requests to approve funding for the installation of electric vehicle (EV) charging infrastructure at certain state buildings through an interlocal agreement with the Department of Administration, State Public Works Division (SPWD). The GOE requests authority to transfer \$535,126<sup>1</sup> from budget 4875, category 85 to budget 4875 category 11, for disbursement to fund the interlocal agreement.

In 2009, the GOE received American Recovery and Reinvestment Act (ARRA) funds for a revolving loan program to support renewable energy and energy efficiency programs. Senate Bill 536 (2019 Legislative Session) was passed amending NRS 701.590 and converting the GOE's previously authorized ARRA funds from loans to grants. The GOE's funding for this proposed interlocal agreement comes from these repurposed ARRA funds. This proposed interlocal agreement with the SPWD would support the installation of EV charging infrastructure at 11 state agency buildings, including six locations and 30 chargers at buildings in Carson City, and five locations and 20 chargers at buildings in the Las Vegas area.

This requested interlocal agreement would continue to advance the state's climate goals by utilizing available funds to deploy charging infrastructure at the state-owned facilities. The Governor's and Legislature's direction to state agencies to incorporate zero emissions vehicle use into operations requires the charging infrastructure installation to support this transportation transition.

The GOE currently has programs in place to support the placement of EV charging

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<sup>1</sup> Actual GOE figure is \$535,127.

infrastructure, including the Nevada Electric Highway and the GOE's partnership with NV Energy on EV charging infrastructure incentives. This partnership with NV Energy does include public agency charging incentives, and NV Energy incentive funds would supplement the GOE's funding.

WARD PATRICK (Administrator, SPWD, Department of Administration):

Agenda Item L requests approval to add 60 EV charging stations to state-owned property. If approved, this would be paid for partially by GOE and partially by NV Energy. Charging stations would be installed in locations available to the public and employees driving state-owned vehicles.

SENATOR HARRIS:

At what threshold of EV adoption or EV charger energy consumption would the imposition of user fees for the charging stations be considered?

MATTHEW TUMA (Deputy Director, Department of Administration):

That target has not yet been defined. If there is an opinion from the Legislature, the department would be more than happy to incorporate that.

CHAIR BROOKS:

There are a lot of changing opinions and thoughts on rate structures around EV charging as it pertains to the rates that owners of electric vehicles are being charged for infrastructure. I look forward to those conversations.

ASSEMBLYMAN ROBERTS:

The charging stations are now free-of-charge to the public. I would like to know the cost to the state, and the threshold at which we would require payment from EV owners. I understand we will get that information later, and I am satisfied with that.

CHAIR BROOKS:

Rate structure was a big part of the conversation during the innovative research planning process. Electric vehicle rates are usually far lower than regular rates. I too am curious to see how that works out, and what that impact will be.

ASSEMBLYWOMAN KASAMA:

The cost for the installation of four chargers is \$39,000 at the Bryan Building, and \$99,000 at the Capitol Building. What are some of the reasons for that disparity?

MR. PATRICK:

These projects are very similar in that they are providing four chargers, but each of these installations is a little different.

In the Bryan Building, there is space available in the motor control center and the switch gear. There is also available conduit in the plan location. That is why the cost associated with installing charging stations at the Bryan Building is lower.

The cost will also include standard equipment in the charging area. All the equipment will have copper cable conductors. The distance the copper cabling needs to run is a factor,

as well as whether additional conduit needs to be installed. Those are the reasons for the variability in price.

SENATOR DONDERO LOOP:

The cost to charge your car is different in different locations: some are free, and some are not. Has anyone reached out to Tesla or the other EV manufacturers to see if they would be willing to assist with those expenses, so that their vehicles could be charged at those locations?

MR. PATRICK:

The SPWD did reach out to other states. The State of Utah does not charge at all. There are varying levels of costs in Nevada's neighboring states. The SPWD has not reached out to Tesla, although it is working with that agency on other projects. The division will reach out to Tesla and report back on whether it would support this effort. There are Tesla-branded charging stations, which might be an opportunity.

MR. TUMA:

Generally, with EV infrastructure, the grants and funding support comes in the form of a one-shot for infrastructure investment. The site locations are then responsible for the ongoing costs of maintenance and operations, and the actual cost of energy usage. That is the case here. The state is getting a significant amount of funding from the utility for the actual infrastructure investments and would be responsible for the ongoing energy costs.

There is an issue with brand propriety. Tesla's branded charging station may not be able to charge another manufacturer's electric car.

SENATOR DONDERO LOOP:

At some point, the consumer should be paying for charging their EV at a public charging station. Tesla has reaped the benefits from Nevada, and maybe it could take more responsibility in getting EV owners to pay to charge their vehicles.

CHAIR BROOKS:

In my experience with the Nevada Electric Highway, while Tesla, as an example, has a for-profit proprietary charging solution for just Tesla owners, there is shared infrastructure. That infrastructure can be used by the state, the host, or a proprietary for-profit, charging infrastructure provider. The shared electrical infrastructure contains the bulk of the cost of most of these installations.

There are opportunities there, but it becomes complicated by the different business models associated with the different EV manufacturers. Whereas, what the state is proposing to do will charge any EV, regardless of manufacturer.

ASSEMBLYWOMAN KASAMA:

You answered my question. I wanted to make sure that all state electric chargers support any EV.

CHAIR BROOKS:

It looks like 50% of the charging stations are in Carson City, and the other 50% are in Las Vegas; this seems a little skewed. How would the SPWD address cost increases beyond these initial project cost estimates?

MR. PATRICK:

Some contingencies exist in these projects, and there could inevitably be some inflationary impacts. The NV Energy portion is a fixed amount at \$7,500 per charger. The division has been in conversations with the GOE, and it seems there may be some flexibility regarding the funding provided by the GOE.

MS. TAYLOR:

There have been conversations around some of the pricing, and there is an understanding that there may be contingencies, but the division hopes the proposed pricing will be covered by what it is granted.

MR. TUMA:

All these projects, like any CIP, have an expected budget. If there are cost constraints or price changes that would prevent the SPWD from completing the project, the SPWD would work with the GOE to identify other funding. If other funding was not available, the division would either not move forward with the project, and report that back to the Legislature, or it would ask for additional funding through the IFC process.

ASSEMBLYWOMAN KASAMA:

Since most of these are public buildings, I wanted to make sure the goal is for the public to charge their cars, regardless of brand. Also, are any of the parking lots closed evenings and weekends?

MR. TUMA:

Most of these sites are readily available to the public whenever the parking lot is available. One or two of the lots may have some closed hours. The charging stations would be "brand agnostic." The approach would be to have a base level of charging infrastructure that would be available for the workforce, the public and the acquisition of agency-owned vehicles.

The SPWD wants to incrementally cast the broadest net through a series of steps. Trends in EV adoption, by both state agencies and the public, show a need to build more infrastructure. This will be the first of many items that the Legislature considers on expanding EV charging capabilities. The goal is a hybrid use for the public and fleet electrification options.

MR. PATRICK:

The criteria for NV Energy are that the charging stations should be available to the public. The charging stations are not behind fenced-in areas.

CHAIR BROOKS:

Although 50% of the charging stations are in Carson City, no charging stations are proposed for the Legislative Building. I look forward to future projects that would include

the Legislative Branch of government.

ASSEMBLYMAN ROBERTS:

The request would add chargers to the Grant Sawyer Building, which already has chargers. What are the costs to operate and maintain the existing chargers?

MR. TUMA:

Those costs and estimates of the costs for all these chargers were provided to Fiscal staff in preparation for the meeting. The estimate for an annual cost for all these chargers is roughly \$16,000 or \$17,000. That estimate came from the usage statistics at that site, as well as a couple of other locations that have existing level 2 chargers.

Regarding Chair Brooks' earlier statement, the department would be happy to work with the Legislature on siting EV charging on Legislative Branch property. This submission reflects sites that the department would have control over and are primarily sites operated by the SPWD Buildings and Grounds. The department would be happy to cooperate with Fiscal staff on these activities if that is the desire of the Committee.

MS. TAYLOR:

Some of the infrastructure under the Economic Recovery Transportation Electrification Plan from S.B. 448 (2021 Legislative Session) may be slated for additional locations that would serve the Legislature in Carson City.

CHAIR BROOKS:

I appreciate that. Whenever I park at the Grant Sawyer Building, I find that the single electric charger is always being used. I look forward to seeing another one.

ASSEMBLYWOMAN GORELOW:

The Henderson DMV location will be closed and moved to the southwest. Why was that office selected for a charging station?

MR. PATRICK:

The SPWD is funded for the design of a new DMV Silverado Ranch facility. The future use for the existing Henderson DMV has not yet determined. That building was built in the mid-1990s. There is no plan to raze or remove that building and the division anticipates that building being of future use. The new DMV will open approximately four years from now, if not longer. In the meantime, lots of citizens could benefit from the charging stations at the Henderson DMV location, as costs are lower there.

SENATOR GOICOECHEA:

There are charging stations up and down the Nevada Electric Highway that were provided by different utility companies. I am concerned that the charging stations are being constructed at state buildings, and the state would pay the power bill for the public to charge their EVs. That is using taxpayer money for a purpose that would only benefit people with EVs.

CHAIR BROOKS:

The Stewart Street parking lot is on list. Is that the lot on Musser Street?

MR. PATRICK:

The lot is immediately across the street from the Supreme Court, next to the State Printing Office, and adjacent to the LCB parking garage.

CHAIR BROOKS:

There is some overflow from the LCB parking garage to the Stewart Street parking lot, so I appreciate that.

I have driven thousands of miles of rural and Northern Nevada roads in an EV on the Nevada Electric Highway. I see what the infrastructure looks like, and I look forward to any additional infrastructure. This effort will help accommodate the growing number of EVs, which just went up 130% year-over-year. Fixing the highway funding formula would be a conversation for another day.

ASSEMBLYWOMAN CARLTON MOVED TO APPROVE  
AGENDA ITEM F.2.1 and AGENDA ITEM L.

SENATOR DENIS SECONDED THE MOTION.

ASSEMBLYWOMAN TITUS:

I cannot support this motion. The state should not be supporting this using taxpayer dollars. With the cost of fuel going up, the state is certainly not helping those of us who still drive gas powered vehicles. It is wrong for the state to help the elite that have these EVs when the average citizen does not have one.

Private enterprise should also be more involved in this process. If private enterprises want to install these charging stations, then they should be responsible for doing so. It is a wrong use of taxpayer dollars for the state to do this when it cannot even fund the Highway Patrol to monitor its highways.

SENATOR GOICOECHEA:

I also will be opposing the motion. Can we come up with a method that at least allows the state to recapture actual costs?

SENATOR SEEVERS GANSERT:

This is a tough choice because the state does receive some dollars from NV Energy. I will oppose the motion, because the division has not figured out how costs will be recouped. Also, there is this idea that most people are paying for their own fuel, but if you have an EV, you can charge for free.

I am sure the motion will pass anyway, and I want to make sure we track how much electricity is used; there is no accountability in this regard. Someone could pull up and charge, and park at a charging station all day. Chair Brooks mentioned earlier that he pulled into a parking lot and the charger was not available. The state needs to be able to support charging EVs because that is the wave of the future, but I do not think the state should be picking up the cost. Private industry needs to be promoted. The division is going to have to make the Nevada Electric Highway much better, because the needed capacity is not there. The state should not be subsidizing individuals, but it needs to track

this, because in the future it will need many more charging stations.

ASSEMBLYWOMAN CARLTON:

I do understand some of the concerns. I think they are general concerns, but the state does not have a rate that it can charge. It cannot just pick a number out of thin air, that would not be fair either.

Electricity is a regulated product in this state, and Nevada must be careful that it does not overstep its bounds. There are bathrooms in every state building, and people are not charged to use the water in the bathrooms. This program should be incentivized. It does not mean people have to use the charging stations; it means there is an option to use them. I hope we will be able to get the data in the future, but the state cannot charge for something it does not have a rate for. The state is ahead of the curve on this, and I am proud of that.

ASSEMBLYMAN HAFEN:

I have a question for Chair Brooks since he does have an EV. When you charge outside of the Nevada Electric Highway, do you pay? Is charging free in other states?

CHAIR BROOKS:

There are a variety of business models. One is privately owned where consumers do pay. Another is the state-provided Nevada Electric Highway, which is more dispersed in rural areas. I have used a few charging stations in your district. This proposal uses a hybrid of funding from the electric utility that provides electricity using ARRA funding that came into the state thirteen years ago. In your district, the local electric facility provides charging for free. I appreciate this every time I charge my car there.

ASSEMBLYMAN ROBERTS:

I feel fortunate that NV Energy has provided these charging stations to the state; I think the Committee should support it moving forward. The cost for each charging station is estimated to be \$17,000, and I think that is a good investment. It will allow the state an opportunity to figure out how much it can charge at these stations. If the charging stations are abused, or the cost gets too far out of hand, the state can adjust. I will support the motion today, with the caveat that the Committee will look at this moving forward to watch for abuse and excessive spending.

THE MOTION PASSED (Assemblyman Hafen, Assemblywoman Kasama, Assemblyman Leavitt, Assemblywoman Titus, Senator Goicoechea, Senator Hammond, Senator Seevers Gansert, and Senator Tatro opposed the motion).

## **M. INFORMATIONAL ITEMS**

WAYNE THORLEY (Senate Fiscal Analyst, Fiscal Analysis Division, LCB):

Agenda Item M.1.b. Office of the Governor, Office of Project Management, SMART 21 will be held for additional discussion.



ASSEMBLYMAN WATTS:

I would like Agenda Item M.4.a. Governor's Office of Finance, Budget Division held for further discussion.

1. OFFICE OF THE GOVERNOR - Governor's Office of Finance

- a) Budget Division - Report of the agency activity relating to contracting with current or former employees of the state, for the period ending December 31, 2021, pursuant to NRS 333.705(5). **REVISED 1-14-22**

There was no discussion on this item.

- b) Office of Project Management - Silver State Modernization Approach for Resources and Technology in the 21st Century (SMART 21) - LSI Consulting report on the status of the SMART 21 project as requested during the October 21, 2021, meeting of the Interim Finance Committee and semiannual report on the efforts to replace the state's existing financial and human resource information systems for the period July 1, 2021, through December 31, 2021 (letter of intent, 2021 Legislature).

PAUL NICKS (Director, Office of Project Management, GFO):

This is the July 1, 2021, through December 31, 2021, project update and also the LSI Consulting report on the status of the SMART 21 project as requested during the October 21, 2021, IFC meeting. Representatives from the Office of Project Management, LSI Consulting, and Gartner Consulting (Gartner) are also available.

Currently, WAVE 1.1, the Employee Central module, has 38 open tickets that are related to bugs. Once all these bugs are resolved, the support of this module will transfer to the state. LSI Consulting will continue to support patches and system updates.

For WAVE 1.2, the Recruiting, Onboarding and Learning Management modules, the office currently has 63 open tickets, or bugs. Of those tickets, 56 are related to recruiting, 6 are related to onboarding, and 1 is related to the learning system. Similar to the Employee Central module, once all of these bugs are resolved, the support of the module will transition to the state.

For WAVE 1.3, the Payroll Processing module, the office is currently finalizing the system integration testing 3 (SIT 3), and the new timekeeping system testing. The office is currently moving forward based on the new "go live" date that was discussed during the October 21, 2021, IFC meeting, which is July 2022, instead of January 2022.

Wave 1.4, the Talent Management module, includes talent management; grievance case management, discipline; and employee health and safety. At this point, the office has replanned WAVE 1.4 and split it into three sections. The new WAVE 1.4 includes grievance case management, discipline, and compensation management. The workshops for these kicked off last month, and the go live is planned for September 2022.

Wave 1.5 includes the Employee Health and Safety modules. The workshops are planned to start in October 2022, and the go live is planned for October 2023. Within this module are risk management, the Family Medical Leave Act and workers compensation.

The last piece of what had been 1.4 is now WAVE 1.6, which includes Talent Management. Workshops are planned to start in August 2022, with a go live date of November 2023. Talent management includes employee evaluations and succession planning.

For WAVE 2.0, Financial Operations, the office has completed SIT 1. The finance implementation had been planned for July 2022. The state and the Office of Project Management did not have a high level of confidence for success regarding the go live date due to the lack of time for training. The office worked with LSI Consulting to look at the planning for WAVE 2.0, and has decided to move forward with a July 1, 2023, go live date.

This extension will enable the office, in conjunction with LSI Consulting, to hold “enablement sessions” with agencies to show what the new structure will look like. It will also provide the office with plenty of time for training. Given that will be a legislative year, the office will need more flexibility to ensure state employees are fully trained within the system. Enablement sessions will start once the final chart of account structure is approved by the Office of the State Controller and the GFO.

SCOTT MUIR (Executive Program Director, LSI Consulting):

The SMART 21 project, by its nature, is a very complex and far-reaching enterprise initiative for the state that will touch every employee and a great majority of state agencies and departments.

What LSI Consulting is doing with SMART 21 in the State of Nevada is not unlike what it is doing in other states. The update reaches beyond just technology; it also involves organizational business process management changes and transforms the way the state does its business, while keeping in mind the regulatory and statutory requirements of the state. Projects of this nature are somewhat unpredictable, especially when the work is being done between two systems, as LSI Consulting is doing regarding certain aspects of the project execution timeline.

My team in LSI Consulting and the Invenio organization are very proud of what is being done here, and proud to continue to partner with the state to deliver this project. LSI Consulting is aware of the COVID-19 impacts that the state has had to endure. I want to thank the Office of Project Management, as LSI Consulting works with that office on a regular basis to mitigate and find innovative ways to work around any of the COVID-19 impacts.

LSI Consulting has obviously had some challenges on its side. We own up to those challenges, and we are here to make whatever corrective actions are needed to fulfill our obligations, be a great partner with the state, and continue the SMART 21 project.

The SMART 21 project is changing, enhancing, and modernizing the entire state financial management system, human resource management system, and all the related systems that go along with that, to help the state achieve the objectives shown on pages 4 and 5 of the SMART 21 - LSI Consulting presentation ([Exhibit O](#)). The objectives are very achievable and very impactful for the state moving forward.

Page 7 of ([Exhibit O](#)) is the overall project masterplan, which shows what was originally planned, what was extended, the hyper care areas, and any extension to that. While this project has required extensions to the original goal dates, in general, compared to other projects like this in the country, these extensions are not that broad. Certainly, we all want to stay within schedules and timelines. Both the Office of Project management, key stakeholders, and LSI Consulting have done a great job of finding the right balance to manage this project, in the budget that was established; that is what this master plan shows.

Regarding the budget, outside of some minor adjustments, the project remains on track overall. As I mentioned, the timeline shows some of the required extensions, which LSI Consulting calls “replanning.” Both organizations came together to find a balance point for optimal deployment. It is important to note there are several pieces of the solution that are live today. The state is using WAVE 1.1 for over 19,000 employees for personnel administration on a day-to-day basis. The state is also using enterprise learning management and training, as well as doing all its recruiting management and talent acquisition requirements. This describes where the SMART 21 program stands from a budget, timeline, and utilization perspective.

The SMART 21 program does have bugs. In any project like this, you are going to have areas to be looked at, and areas to be fixed. LSI Consulting is working closely with the Office of Project Management and key stakeholders, with everyone working well together in terms of mitigating bugs quickly to make sure there are no operational or business impacts to the state. LSI Consulting and the office are meeting and collaborating daily, as well as in work sessions twice a week. I am not proud that all these bugs exist – I would rather have zero – but I am happy that LSI Consulting found a good working relationship with the state to get through this.

Page 9 of ([Exhibit O](#)) begins the section that identifies issues and priorities, and whether these are a bug, a task, or an enhancement. LSI Consulting wants to make sure all these numbers come down to zero, and it is working to achieve that. As of today, there are probably about ten fewer bugs than when the presentation was put together.

There are some challenges around recruiting, and LSI Consulting is working on that very closely. Part of the challenge is function-based, part is business process-based, and part of it is change management-based. LSI Consulting absolutely recognizes the need to make sure it is supporting the DHRM and helping the state improve its overall recruiting and talent acquisition. This remains a critical area that LSI Consulting is helping to fix, and it is committed to resolving the bugs by the end of the month.

Page 13 of ([Exhibit O](#)) shows the state cure letter progress to date, between Gartner, the state OPM, and LSI Consulting. The good news is there are no red areas. Three of the ten items are fully complete; the remaining seven have action plans and LSI Consulting is fully engaged in mitigating all of these. The issues were mainly around the quality of deliverables and some of the functional aspects of the project.

Page 15 of ([Exhibit O](#)) shows a key area in the next piece of SMART 21 that will be deployed, which is payroll. The entire payroll system of the state is being transformed. There is a lot of activity going on right now, which will lead to much testing to ensure payroll, and all the timekeeping that goes into that, is absolutely accurate and precise.

LSI Consulting is aware that there are risks in any project, and it is working on mitigation proactively to make sure that the SMART 21 project does not get to a point where it cannot go live or cannot make decisions collectively that need to be made to protect or extend the go live date.

Right now, there are certain aspects of the project that are green, and certain aspects that are leaning more toward orange or red. In general, it is right in the middle. I can speak confidently that LSI Consulting is still on target to allow this part of the SMART 21 project to go live for the first payroll run in July 2022. The last bullet on page 17 of ([Exhibit O](#)) recognizes the state payroll department has a day job. LSI Consulting needs the subject matter expertise and input of the state payroll department as it transforms the system before it goes live. LSI Consulting is trying to balance the state payroll department's time and availability.

Page 20 of ([Exhibit O](#)), Employee Relationship Management, will be important for DHRM as the state moves into the collective bargaining era. This will absolutely support what is called "employee relationship management, grievance management, and corrective action management," this is scheduled to go live right after payroll at the end of this fiscal year.

Page 23 of ([Exhibit O](#)) shows Employee Health and Safety. This is one of the replanning efforts that was extended due to a balance point of state availability of resources. A collective decision was made to move the go live date to 2023.

Page 24 of ([Exhibit O](#)) shows Talent Management. LSI Consulting has identified some business process modeling and reengineering to help the state realize the most value for the application and has moved these processes out to the 2023 timeframe.

Page 26 of ([Exhibit O](#)) shows the Financial Management WAVE 2.0. This is a great example of collaboration between the state, LSI Consulting and Gartner in terms of finding alignment through enablement sessions. There is complete comfort and acceptance, to the extent possible for all the stakeholders, as the project moves forward regarding its final executive pieces.

At the last meeting of the Committee, Chair Brooks asked for LSI Consulting's observations. I would like to mention the following: LSI Consulting is owning its project staffing challenges in the COVID-19 world; it has been as creative as possible in finding solutions; it has made key resource changes as requested by the state when needed; and it is owning and improving its quality and timeliness. I hope that Gartner will continue to validate the progress of LSI Consulting in that area.

The sponsorship and support of the SMART 21 project charter are becoming important for the state. I know it is very tough when processes change after 20 years, and technology moves forward. It is important to make sure we are still following and supporting each other around the SMART 21 project charter. Adopting new technology and business processes is never easy. This is a real effort with the state organizational change management group. Other similar projects incur delays that are consistent with this project, but LSI Consulting certainly wants to make sure that it does not incur any more delays.

YVETTE TOLEDO (Managing Partner, Gartner Consulting):

Gartner Consulting provides independent verification and validation as an independent consulting firm overseeing the engagement. Gartner has been providing oversight to the SMART 21 project monthly. As of today, there certainly has been progress made resolving the issues that Mr. Muir presented. There are several items that are still outstanding that need to be resolved, but there certainly seems to be a plan in place.

The progress of the SMART 21 project is tracking better over the past month. There continue to be some medium-risk items related to the payroll go live that LSI Consulting is working toward resolving.

SENATOR DENIS:

Are the modules that are already deployed working the way they were intended to work?

MR. MUIR:

Yes, if the modules are measured as a function of what the requirements were of the project, versus what was delivered. There are bugs that are being fixed, but, for the most part, it is operating as intended.

SENATOR DENIS:

It is expected that you are going to have bugs and will have to get those fixed. Are there more bugs than LSI Consulting would anticipate having at this stage in development?

MR. MUIR:

Yes, specifically in recruiting. That has been one of the most challenging areas for us and for the state, and we are working together to get through those challenges.

SENATOR DENIS:

When you say recruiting, are you talking about folks that you hired to help in this process?

MR. MUIR:

Recruiting in the sense of the technology used for recruitment by the state, which is everything from the career site to applicant tracking to interview management to onboarding. All of this is required to acquire talent into the state to process applicants to become an employee.

SENATOR DENIS:

LSI Consulting has come up with a new drop-dead date. The thing the Committee is leery about is whether the date will be changed again. I need to feel comfortable that what LSI Consulting is doing is going to be successful, given all the challenges that it has had.

MR. MUIR:

I feel very comfortable with the level of cooperation and the relationship that LSI Consulting has with the Office of Project Management. I also feel comfortable with the relationship LSI Consulting has with key stakeholders, which are the agencies and departments that are using the SMART 21 program. I am comfortable that Gartner is checking progress on the back end. The agencies are all working together, and when potential risks or delays are identified, we are all getting ahead of those to ensure there are no catastrophic delays of the project going forward.

SENATOR DENIS:

I like that process. I am just holding my breath when deadlines start to approach. I know it is a complicated system. You did not know there would be a pandemic, which made it harder to work together. This will be a great project when it is done, and I hope we do not have any more delays going forward.

CHAIR BROOKS:

How confident are we, based on the delays we have seen, and some of the obstacles that we have faced, that this project will be successful?

MR. NICKS:

How do you define successful? Are you talking about a successful implementation of WAVE 1.3 in July, or Finance in July of 2023, or the metrics that were initially associated with the project and seeing decreases in time?

CHAIR BROOKS:

I would define successful as a functioning executive branch, including all the agencies that are part of it. Overall, do we still have a relatively high expectation that we are going to be better off than before we started?

MR. NICKS:

With the design of the new system, we will have success at the end of the project.

There are going to be items, as Mr. Muir has mentioned, and as DHRM is experiencing, that a “software as a service” will not do as well as a custom system built for the state’s processes. The intent of the project was to adopt processes inherent within the system, and by doing that, get efficiencies from the system. In some areas we will get efficiencies, but other areas will not be as quick as the Legacy system was, because that system was designed for the state’s processes.

Over time, if more system processes are adopted by the organization, you will continue to see more efficiencies there. I believe that we can have a functioning system to support state agencies. We are going to have some challenges on the finance side, where the chart of accounts is significantly different than what the state is currently using. Ensuring that the state employees working in the finance area understand what they are doing, and how to work within the new system, is going to be challenging. Having that extra year will allow the Office of Project Management to train people to be functional in the system.

MS. TOLEDO:

Essentially, Gartner currently has a medium level of confidence in the system development and integration, due mostly to the fact that some of the delays have created strained resources on the state. Multiple work streams and implementation are happening at the same time. We are seeing improvement and progress, but WAVE 1.3, the payroll time management component, is causing some strain in the resources, and that is where Gartner’s independent concern comes from.

CHAIR BROOKS:

I have been through this on a much smaller scale. This can be trying for the individuals who must interface with the system daily at the agencies, especially if they have been around the agency or the state for a long time and are used to doing things in a certain way.

How is the morale of the folks that are having to interface with this every day? Are they still part of the vision of modernizing state processes? The longer these things go on, the more disjointed and redundant certain processes are, the less buy-in you get, and the lower morale is. What is your observation of the folks that are working with this daily?

MS. TOLEDO:

Organizational change management is something that is being addressed actively as part of this project. Certainly, it is a long haul putting in these systems. It is a big effort, so obviously there are times of strain, but there is a team in place that is helping to manage some of that. I would welcome Mr. Nicks’ comments as well.

MR. NICKS:

From my experience, with the agencies we are working with - I am sure DHRM can attest to this - we have been all over the map. When things rolled out, and processes were not working for them, they were not happy. As things started improving, there was a sense of hope and happiness there.

The “Center of Capabilities” is essentially a library of classifications that will end up closing about 16 of the bugs associated with recruiting. There has been a very positive reaction to that and how it would benefit state employees in creating recruitments. Unfortunately, that piece is outside of the Office of Project Management’s control right now. It is up to the SAP organization to resolve a bug within that piece.

It is a day-by-day thing. You have days that people are on board and excited, and other days with lots of stress and disappointment associated with the new process taking longer than the historical process.

CHAIR BROOKS:

This is a very important process that the state is going through, and the Committee wants to make sure it is done right.

There was no further discussion on this item.

2. DEPARTMENT OF ADMINISTRATION - State Public Works Division - Information regarding the Project Status Exception Report pursuant to NRS 341.100(8)(g).

There was no discussion on this item.

3. DEPARTMENT OF BUSINESS AND INDUSTRY - Home Means Nevada, Inc. - Annual report concerning the status of the Foreclosure Mediation Assistance program, annual audited financial statements, and federal tax return for the period ending June 30, 2021, pursuant to NRS 107.086(17).

There was no discussion on this item.

4. NEVADA DEPARTMENT OF EDUCATION
  - a) Quarterly report on the funding awarded through the DonorsChoose program for the period ending December 31, 2021, as requested during the August 18, 2021, meeting of the Interim Finance Committee. LIST OF INDIVIDUAL CLASSROOM PROJECTS IS ON FILE WITH THE FISCAL ANALYSIS DIVISION AND IS AVAILABLE FOR REVIEW UPON REQUEST.

ASSEMBLYMAN WATTS:

I have reviewed the materials that the Nevada Department of Education (NDE) sent. There were discussions on equity issues, but I did not see a breakdown showing the percentage of the projects in Title I schools. I think such a breakdown would indicate if the equity issues for Title I schools were addressed and would be beneficial for the Committee and the public to make sure that resources are provided to the students most in need. I was excited to see that a lot of those resources went to younger students to help get them off on the right foot.

JHONE EBERT:

Thank you again for supporting this project and allowing the teachers to determine their projects. Teachers know what they need and are very appreciative. I am



more than happy to break down the distribution of projects among Title I schools so that the Committee can see that information specifically.

ASSEMBLYMAN WATTS:

I appreciate all that the NDE provided within the backup materials, and I appreciate the department working with the Committee to try and craft this program to be the best that it can be.

There was no further discussion on this item.

- b) Quarterly reports on Class-Size Reduction variances pursuant to NRS 388.700(5).
  - 1) For the period ending December 31, 2020, of the 2020-21 school year.
  - 2) For the period ending March 31, 2021, of the 2020-21 school year.
  - 3) For the period ending June 30, 2021, of the 2020-21 school year.

There was no discussion on these items.

- 5. NEVADA SYSTEM OF HIGHER EDUCATION - University of Nevada, Reno School of Medicine - Quarterly report on the progress made in obtaining federal approval for a research program on the medical use of marijuana, as well as the status of activities and information received through the program for the period ending September 30, 2021, pursuant to NRS 453A.600(5).

There was no discussion on this item.

- 6. DEPARTMENT OF HEALTH AND HUMAN SERVICES
  - a) Aging and Disability Services Division - Quarterly report for the Senior Rx and Disability Rx Prescription programs for the period ending December 31, 2021, pursuant to NRS 439.630(1)(c). **WITHDRAWN 1-13-22.**
  - b) Division of Health Care Financing and Policy - Quarterly report on the Disproportionate Share Hospital Supplemental Payment Program for the period ending December 31, 2021, pursuant to NRS 422.390(2).
  - c) Division of Public and Behavioral Health - Annual report on the Diapering Resource Account for the period ending December 31, 2021, pursuant to NRS 422A.675(6)(b)(1).
  - d) Division of Welfare and Supportive Services - Annual report on unspent and unencumbered Universal Energy Charge funding for the Energy Assistance program for the period ending December 31, 2021, pursuant to NRS 702.275(1).
  - e) Division of Child and Family Services - Report on the division's progress in relocating the Psychiatric Residential Treatment Facility - Oasis to the Desert Willow Treatment Center, as requested during the October 21, 2021, meeting of the Interim Finance Committee.

There was no discussion on these items.

7. DEPARTMENT OF MOTOR VEHICLES - Status report on the issuance of technology fee refunds as required by the stipulation agreement dated November 1, 2021.

There was no discussion on this item.

8. DEPARTMENT OF TRANSPORTATION - Annual report on the plan for measuring performance of the Department of Transportation for the period ending December 31, 2021, pursuant to NRS 408.133(2)(b)(2) and, as required by NRS 244A.638(2)(b), an annual report on all projects undertaken with the money deposited in the State Highway Fund pursuant to NRS 244A.637.

There was no discussion on this item.

9. DEPARTMENT OF SENTENCING POLICY - Annual report on the statement of the amount of costs avoided by enactment of Assembly Bill 236 (2019 Legislative Session), pursuant to NRS 176.01347(2).

There was no discussion on this item.

10. Reports on the use of consultants for the July 1, 2021, through December 31, 2021, reporting period:
  - a) Reports from school districts pursuant to NRS 391.155.
  - b) Reports from boards and commissions pursuant to NRS 333.705(7).
  - c) Reports from the Nevada System of Higher Education, pursuant to NRS 333.705(7).

There was no discussion on these items.

## **N. PUBLIC COMMENT.**

ASSEMBLYWOMAN KASAMA:

Where would legislators find information on the status of ARPA funds?

CHAIR BROOKS:

A lot of folks have had that question. Our first choice would be our amazing Fiscal staff. They work for the Legislature, and they are more versed than any of us on the Committee.

DORA MARTINEZ (Nevada Disabilities Action Coalition):

I want to thank the Committee for all that it does and reiterate what was said earlier this morning about the Individual Disability Education Act for students with disabilities in our school districts. Please do not forget students with disabilities. I want to make sure that the NDE is accountable for every single penny that is spent, because some of our students have been left behind, and these are the students with Individual Education Plans in special education.

I also want to thank the LCB Research Division, as it has been very helpful. The Research Division is in the background, and do not get a lot of recognition. As a blind person, with

peers who have other various disabilities that have also contacted the Research Division, I want you to know that the Research Division has been very patient and accommodating.

**O. ADJOURNMENT.**

The meeting was adjourned at 5:04 p.m.

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Senator Moises Denis, Chair  
Interim Finance Committee

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Brenda Erdoes, Director, Legislative Counsel Bureau,  
and Secretary, Interim Finance Committee