



## **WORK SESSION DOCUMENT**

### **SUNSET SUBCOMMITTEE OF THE LEGISLATIVE COMMISSION**

*(Nevada Revised Statutes [NRS] [232B.210](#))*

**June 14, 2024**

#### **A. INTRODUCTION**

The Chair and staff of the Sunset Subcommittee of the Legislative Commission (Subcommittee) have prepared this Work Session Document (WSD) to assist the Subcommittee in determining whether to recommend that a board, council, or commission be continued, terminated, modified, or consolidated with another entity. The recommendations contained herein do not necessarily have the support or opposition of the Subcommittee. Rather, these possible actions are compiled and organized so members may review them to decide whether they should be adopted, changed, rejected, or further considered. They are not preferentially ordered.

Each item in this WSD may be the subject of further discussion, refinement, or action. Any recommendations will be forwarded to the Legislative Commission for its consideration. Some of the recommendations may contain an unknown fiscal impact. Subcommittee members are advised that staff will coordinate with interested parties to obtain detailed fiscal estimates, if appropriate, for inclusion in the Subcommittee's final report.

Finally, please note that specific details of recommendations approved by the Subcommittee may require clarification by Subcommittee staff prior to reporting the recommendations to the Legislative Commission. Supporting documents for some recommendations may be obtained by contacting Patrick Guinan, Chief Principal Policy Analyst, Research Division, Legislative Counsel Bureau (LCB), at (775) 684-6825 or [pguinan@lcb.state.nv.us](mailto:pguinan@lcb.state.nv.us).

#### **B. DISCUSSION AND POSSIBLE RECOMMENDATIONS RELATING TO TERMINATING, CONTINUING, MODIFYING, OR CONSOLIDATING BOARDS AND COMMISSIONS**

##### **1. ADVISORY COMMITTEE ON THE RIGHTS OF SURVIVORS OF SEXUAL ASSAULT (NRS [178A.310](#))**

The Advisory Committee consists of 15 members as set forth in [Assembly Bill 176](#) (2019). The Committee's mandate is to evaluate implementation of the Sexual Assault Survivors' Bill of Rights; further assess the rights, resources, and needs of survivors of sexual assault; evaluate the effectiveness of the statewide program to track sexual assault forensic

evaluation kits; and develop a plan to expand those rights, provide additional victims' advocates, and make recommendations to the Legislature regarding these issues.

The Sunset Subcommittee reviewed the Advisory Committee at its meeting on March 27, 2024. Testimony at the hearing by Teresa Benitez-Thompson, Chief of Staff, Office of the Attorney General (AG), indicated that the AG and other members of the Advisory Committee agree that the bulk of its mandated work has been completed, and recommended termination pending further review for possible recommendations for statutory revisions to ensure that certain duties of the Advisory Committee would be carried forward. In a follow-up email, Chief of Staff Benitez-Thompson confirmed that AG Ford supports a recommendation to terminate the Advisory Committee without additional statutory modifications as those, if needed, will be addressed in legislation sponsored by his office.

***Should the Advisory Committee on the Rights of Survivors of Sexual Assault be continued or terminated?***

***If the Sunset Subcommittee recommends terminating the Advisory Committee, should it:***

- ***Be consolidated with another entity; or***
- ***Have its duties transferred to another entity?***

***If the Sunset Subcommittee recommends continuing the Advisory Committee:***

- ***Does the Sunset Subcommittee want to recommend any modifications?***

**2. TECHNOLOGICAL CRIME ADVISORY BOARD (NRS [205A.040](#))**

Originally created in 1999 as the Advisory Board for the Nevada Task Force for Technological Crime, the Advisory Board consists of 13 members who serve four-year terms. The Advisory Board is tasked with facilitating cooperation between state, local, and federal entities in detecting, investigating, and prosecuting technological crimes. It is also to coordinate and provide training to various entities on how to prevent, detect, and investigate these crimes as well as assist in securing governmental information systems against illegal intrusions and related illegal activities. Finally, the Advisory Board is to evaluate and recommend changes to existing civil and criminal law relating to technological crimes. According to testimony provided by Chief of Staff Benitez-Thompson, at the Sunset Subcommittee's hearing on March 27, 2024, the Advisory Board has not met since June 22, 2020. Chief of Staff Benitez-Thompson explained that it has been exceedingly difficult to meet quorum requirements since that time. Additionally, as technological crime has evolved and become more specialized, it has required equivalent evolution and specialization in law enforcement practices. Chief of Staff Benitez-Thompson gave several examples where this work is ongoing without the involvement of the Advisory Board. For these reasons, the general sense shared by the members of the Advisory Board is that it has served its purpose and should be terminated. She also noted that AG Ford is prepared to sponsor, through his office, any legislation necessary to ensure that statutory provisions related to technological crime remain intact and are located in the appropriate chapters of NRS.

***Should the Technological Crime Advisory Board be continued or terminated?***

***If the Sunset Subcommittee recommends terminating the Advisory Board, should it:***

- ***Be consolidated with another entity; or***
- ***Have its duties transferred to another entity?***

***If the Sunset Subcommittee recommends continuing the Advisory Board:***

- ***Does the Sunset Subcommittee want to recommend any modifications?***

**3. COMMISSION TO REVIEW THE COMPENSATION OF CONSTITUTIONAL OFFICERS, LEGISLATORS, SUPREME COURT JUSTICES, JUDGES OF THE COURT OF APPEALS, DISTRICT JUDGES AND ELECTED COUNTY OFFICERS (NRS [281.1571](#))**

The Compensation Commission was created in 1993, via Senate Bill 221. It is tasked with reviewing compensation paid to certain officials; holding public hearings on related issues; comparing salaries of persons with similar duties and job qualifications in the public and private sectors; determining the minimum salary required to attract and retain experienced and competent persons; and considering the average number of days that legislators serve during their term, the amount of work required of legislators when not in session, and the opportunities legislators have to earn income from sources outside the Legislature. After conducting a study during the 1993–1994 Interim, the Commission published Bulletin No. 95-19, containing its findings and recommendations. None of those recommendations were ultimately passed into law. The Compensation Commission has not been active since 1995, and currently has no appointed members.

The Sunset Subcommittee reviewed the Commission during the 2015–2016 Interim and recommended it be terminated; however, that provision was amended out of AB 126 (2017). The Sunset Subcommittee reviewed the Compensation Commission again at its May 22, 2024, meeting. Input solicited from stakeholders on whether the Commission should be continued or terminated returned mixed results ranging from keeping the Commission to terminating it.

***Should the Commission to Review the Compensation of Constitutional Officers, Legislators, Supreme Court Justices, Judges of the Court of Appeals, District Judges and Elected County Officials be continued or terminated?***

***If the Sunset Subcommittee recommends terminating the Commission, should it:***

- ***Be consolidated with another entity; or***
- ***Have its duties transferred to another entity?***

***If the Sunset Subcommittee recommends continuing the Commission:***

- ***Does the Sunset Subcommittee want to recommend any modifications?***

#### 4. COUNCIL TO ESTABLISH ACADEMIC STANDARDS FOR PUBLIC SCHOOLS (NRS [389.510](#))

The Council to Establish Academic Standards for Public Schools (Council) was established in 1999 with the passage of SB 466. The Council is to establish standards of content and performance, and to prescribe the level of achievement expected of students in kindergarten through eighth grade in a broad range of subjects. The Council is also to establish a schedule for periodic review and revision of standards including those for computer education and technology; ethical, safe, and secure use of computers and other electronic devices; prevention of cyber-bullying; plagiarism; and data theft. [Senate Bill 76](#) (2021) proposed abolishing the Council as part of a larger reorganization by Nevada's Department of Education (NDE) to streamline its operations. Testimony at the time noted an inability to establish a quorum for meetings and redundancy in the Council's duties regarding the approval of proposed revisions to various standards. However, the Legislature did not approve the bill.

The Sunset Subcommittee reviewed the Council on May 22, 2024. Cindi Chang, Director, Office of Teaching and Learning, NDE, indicated during testimony that the Council has not met since 2021, and has only one member whose term is currently active. Director Chang also noted that her office currently performs all the duties that are assigned to the Council, including having a timeline and framework in place for review of standards and communication of any proposed changes to the State Board of Education for approval and adoption.

#### ***Should The Council to Establish Academic Standards for Public Schools be continued or terminated?***

##### ***If the Sunset Subcommittee recommends terminating the Council, should it:***

- ***Be consolidated with another entity; or***
- ***Have its duties transferred to another entity?***

##### ***If the Sunset Subcommittee recommends continuing the Council:***

- ***Does the Sunset Subcommittee want to recommend any modifications?***

#### 5. PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES WORKING GROUP (NRS [459.686](#))

The Perfluoroalkyl and Polyfluoroalkyl Substances Working Group (PFAS Group) was formed in 2021, via the passage of AB 97. Made up of members from a wide range of interested parties representing both the public and private sectors, the PFAS Group was established to study issues relating to environmental contamination resulting from PFAS, also known as "forever chemicals." Per statute, the PFAS Group developed recommendations for state and local entities to monitor, contain, and clean contamination resulting from PFAS which are contained in the Final PFAS Action Plan, published in 2022. As stated in response to question 28 of the Sunset Review Form, "no statutory changes are expected regarding the operations of the working group ... except for the sunset of the workgroup upon fulfilling statutory obligations. Since the project concluded in June 2022, the working group has not found any cause to reconvene." Jennifer Carr, Administrator, Division of Environmental Protection, Department of Conservation and Natural Resources, confirmed during testimony that her Agency does "have the authorities we need to continue to address PFAS in various

environmental media going forward under ...various federal acts that we are obligated to implement, as well as existing State law.” Thus, no additional statutory revision or other modifications are necessary beyond terminating the PFAS Group.

***Should the Perfluoroalkyl and Polyfluoroalkyl Substances Working Group be continued or terminated?***

***If the Sunset Subcommittee recommends terminating the Working Group, should it:***

- ***Be consolidated with another entity; or***
- ***Have its duties transferred to another entity?***

***If the Sunset Subcommittee recommends continuing the Working Group:***

- ***Does the Sunset Subcommittee want to recommend any modifications?***

**6. ADVISORY BOARD ON AUTOMOTIVE AFFAIRS (NRS [487.002](#))**

The Advisory Board on Automotive Affairs (Board) was created in 1989, via SB 378. It consists of ten members, appointed by the Governor, although four of those positions are currently vacant. The Board is tasked with studying, analyzing, and making recommendations to the Department of Motor Vehicles (DMV) on the regulation of garages, automobile wreckers, body shops, salvage pool operators, emissions stations, and new and used vehicle dealers, including licensure and disciplinary actions related to such businesses. The Board is also tasked with reviewing consumer complaints received by the DMV concerning these entities and making recommendations for regulatory or statutory changes it deems appropriate.

The Sunset Subcommittee reviewed the Board on March 27, 2024. Testimony by Joseph (J.D.) Decker, Chief/Administrator, Compliance Enforcement Division, DMV, indicated that in the six years that he has been administering the Board’s meetings it has been difficult to find persons to serve on the Board and that, consequentially, it is frequently difficult for the Board to meet. Additionally, Chief Decker noted that currently the DMV has regular and frequent interactions with representatives of the various industry groups it regulates, which is more efficient than relying on biannual meetings of the Board for input and feedback on regulatory issues, especially since these meetings are frequently cancelled. For these reasons, the DMV has indicated its support for terminating the Board without any statutory or other modifications.

***Should the Advisory Board on Automotive Affairs be continued or terminated?***

***If the Sunset Subcommittee recommends terminating the Board, should it:***

- ***Be consolidated with another entity; or***
- ***Have its duties transferred to another entity?***

***If the Sunset Subcommittee recommends continuing the Board:***

- ***Does the Sunset Subcommittee want to recommend any modifications?***

## 7. NEVADA HIGH-SPEED RAIL AUTHORITY (NRS [705.850](#))

The Legislature created the Nevada High-Speed Rail Authority (Authority) in 2015, via SB 457 to facilitate the identification of a franchisee to build a high-speed rail line between Southern Nevada and Southern California. The Sunset Subcommittee reviewed the Authority on May 22, 2024. While no representative of the Authority was available for testimony, information provided on the review form submitted by George Smith, Authority Chair, indicated that a franchisee was chosen in November 2015, and the Authority has not met since July 18, 2017. Currently, the Authority receives biannual updates from Brightline West, the franchisee, regarding progress toward completion of the high-speed rail line but has no oversight role regarding current or future developments.

***Should the Nevada High-Speed Rail Authority be continued or terminated?***

***If the Sunset Subcommittee recommends terminating the Authority, should it:***

- ***Be consolidated with another entity; or***
- ***Have its duties transferred to another entity?***

***If the Sunset Subcommittee recommends continuing the Authority:***

- ***Does the Sunset Subcommittee want to recommend any modifications?***

## 8. ADVISORY COMMITTEE ON MEDICAID INNOVATION (NRS [422.162](#))

The Advisory Committee on Medicaid Innovation (Committee) was created in 2017, via AB 366. Currently, the Committee has no members and has not met since 2020. The Committee's role is to study and make recommendations to the Director of the Department of Health and Human Services (DHHS) on how to create or expand prescription purchasing coalitions, encourage access to employer-based health insurance plans, including various Medicaid options, and on opportunities to apply for certain waivers under federal law. Recommendations are generally to relate to opportunities to improve Medicaid or to increase access to health insurance.

The Sunset Subcommittee reviewed the Committee on March 27, 2024. In her testimony, Melinda Southard, Deputy Administrator, Division of Health Care Financing and Policy (DHCFP), DHHS, explained that the duties assigned to the Committee have been carried out for several years by two different entities within DHHS, the Medical Care Advisory Committee and the Patient Protection Commission. As such, DHHS supports a recommendation from the Subcommittee to terminate the Committee. Ms. Southard also noted that DHHS would review the relevant statutory provisions and work with LCB staff to ensure that any necessary revisions or modifications be addressed in legislation should the recommendation be approved (see Attachment A, DHCFP Memo to LCB—Enhanced Recommendation for Sunset of ACMI\_ADA).

***Should the Advisory Committee on Medicaid Innovation be continued or terminated?***

***If the Sunset Subcommittee recommends terminating the Committee, should it:***

- ***Be consolidated with another entity; or***
- ***Have its duties transferred to another entity?***

***If the Sunset Subcommittee recommends continuing the Committee:***

- ***Does the Sunset Subcommittee want to recommend any modifications?***

9. ADVISORY COUNCIL ON GRADUATE MEDICAL EDUCATION ([NRS 223.600](#))

The Legislature created The Advisory Council on Graduate Medical Education (ACGME) in 2023, via [SB 350](#). Its role is to evaluate applications and make recommendations to the Office of Science, Innovation and Technology (OSIT) concerning the awarding of competitive grants offered by the Graduate Medical Education Grant Program. The ACGME is also to make recommendations to OSIT, the Governor, and the Legislature regarding the creation and retention of appropriate programs for residency training and postdoctoral fellowships as well as for the recruitment and retention of physicians necessary to meet the health care needs of residents across this State. The Sunset Subcommittee reviewed the ACGME at its April 23, 2024, meeting. At the time of the meeting, testimony indicated that the full membership of the ACGME had not yet been named, and OSIT was conducting a search for a full-time staff person to oversee the operation of the grant program. While members of the Subcommittee expressed their desire that ACGME become fully operational as quickly as possible, no statutory revisions or other modifications were discussed.

***Should the ACGME be continued or terminated?***

***If the Sunset Subcommittee recommends terminating the ACGME, should it:***

- ***Be consolidated with another entity; or***
- ***Have its duties transferred to another entity?***

***If the Sunset Subcommittee recommends continuing the ACGME:***

- ***Does the Sunset Subcommittee want to recommend any modifications?***

10. TASK FORCE ON SAFE SIDEWALK VENDING (NRS 225.600)

The Legislature created the Task Force on Safe Sidewalk Vending (Task Force) in 2023, via [SB 92](#). The Task Force is to review existing laws relating to sidewalk vending and make recommendations to improve both local and statewide laws to legalize the practice; simplify and standardize these laws; remove unnecessary barriers; protect public health, safety, and welfare; and develop appropriate enforcement mechanisms to regulate these businesses. The Task Force is required to submit its first report to the Legislature on or before September 1, 2024.

The Sunset Subcommittee reviewed the Task Force on March 27, 2024. Testimony given by Maggie Salas-Crespo, Deputy Secretary for Southern Nevada, Office the Secretary of State, indicated the Task Force has been conducting its work as expeditiously as possible, given that many of the entities it is working with were not required by SB 92 to adopt ordinances until either later this year or, in some cases, not until 2025. Ms. Salas-Crespo noted the bulk of the Task Force's work will take place between July 1 and September 1 of 2024, at which time its report and recommendations to the Legislature will be due. As the report will include any recommendations for legislation pertaining to sidewalk vending, no requests for statutory revisions or other modifications were made at this time.



***Should the Task Force on Safe Sidewalk Vending be continued or terminated?***

***If the Sunset Subcommittee recommends terminating the Task Force, should it:***

- ***Be consolidated with another entity; or***
- ***Have its duties transferred to another entity?***

***If the Sunset Subcommittee recommends continuing the Task Force:***

- ***Does the Sunset Subcommittee want to recommend any modifications?***

**11. CERTIFIED COURT REPORTERS' BOARD OF NEVADA (NRS [656.040](#))**

The Legislature created the original iteration of what is now The Certified Court Reporters' Board of Nevada (Board) in 1973, with the passage of AB 929. Today, the Board consists of five members appointed by the Governor. The Board is authorized to oversee the provisions of Chapter 656 of NRS, which includes examining, certifying, and licensing court reporters, as well as taking disciplinary actions which may include denial, suspension, or revocation of a certificate or license; placing a reporter on probation; and imposing fines.

The Sunset Subcommittee previously reviewed the Board on June 13, 2018, and voted to urge the Board to seek statutory revisions regarding the regulation of videographers through its own bill draft request. When the Subcommittee reviewed the Board this interim, on February 27, 2024, testimony indicated that the regulation of videographers remains a primary concern of the Board as, to date, the Legislature has not approved a bill establishing a regulatory framework for videographers.

***Should The Certified Court Reporters' Board be continued or terminated?***

***If the Sunset Subcommittee recommends terminating the Board, should it:***

- ***Be consolidated with another entity; or***
- ***Have its duties transferred to another entity?***

***If the Sunset Subcommittee recommends continuing the Board:***

- ***Does the Sunset Subcommittee want to recommend any modifications?***

**12. STATE PUBLIC CHARTER SCHOOL AUTHORITY (NRS [388A.150](#))**

The State Public Charter School Authority (SPCSA) was formed in 2011, with the passage of SB 212. Its purpose is to authorize charter schools of high-quality throughout the State with the goal of expanding opportunities for pupils including, without limitation, pupils who are at risk; to oversee the charter schools it sponsors and ensure they maintain high educational and operational standards, preserve autonomy, and safeguard the interests of pupils and the community; and to serve as a model of best practices in sponsoring charter schools and foster a climate in which all high-quality charter schools can flourish. The Authority is deemed a "local educational entity" as defined in federal law and, among other duties, may sponsor charter schools, direct available federal and State funds to charters schools, enter contracts, plan for the growth and management of charter schools, adopt regulations, review regulations and statutes, and make recommendations to the State Board of Education, NDE, and the Legislature.



The Sunset Subcommittee reviewed the SPCSA on April 23, 2024, and Melissa Mackedon, Executive Director, SPCSA, then returned to answer follow-up questions from the Subcommittee on May 22, 2024. Among other subjects, the Subcommittee sought additional information in the areas of attendance policy, school ranking formulas, the Public Employees Retirement System contributions, and the payment of prevailing wage for work done on charter school facilities. In her testimony at these hearings, Ms. Mackedon did not indicate that the SPCSA had any requests for statutory or other modifications to be recommended by the Subcommittee.

***Should the SPCSA be continued or terminated?***

***If the Sunset Subcommittee recommends terminating the Authority, should it:***

- ***Be consolidated with another entity; or***
- ***Have its duties transferred to another entity?***

***If the Sunset Subcommittee recommends continuing the Authority:***

- ***Does the Sunset Subcommittee want to recommend any modifications?***

13. COMMISSION ON POSTSECONDARY EDUCATION (NRS [394.383](#))

The Commission on Postsecondary Education (Commission) was created in 1975, via AB 25. It consists of eight members and is charged with establishing minimum criteria regarding quality of education, ethical and business practices, health and safety, and fiscal responsibility, which applicants for a license to operate, or for an agent's permit, must meet before the license or permit may be issued, and to continue a license or permit that is in effect. The Commission also adopts regulations concerning the content of an agreement to enroll and may issue, suspend, or revoke a license or a provisional license, authorize a postsecondary educational institution to offer a degree in a specific subject, and authorize the addition of vocational programs or degrees in specific subjects.

The Sunset Subcommittee reviewed the Commission on April 23, 2024. In her testimony, Kelly D. Wuest, Commission Administrator, Department of Employment, Training and Rehabilitation, noted that the Commission had one request for a statutory revision with which the Sunset Subcommittee could assist. As explained in the answer to question 28 on the Sunset Review form submitted for the Subcommittee's consideration, the Commission is required to conduct a background check for many faculty who instruct in occupational subjects for which the instructor has already undergone the same background check in order to receive an occupational license. Thus, the Commission's background check is redundant. As such, Administrator Wuest requested that the Subcommittee recommend amending subsection 6 of NRS 394.465 to exempt an applicant who currently holds a professional or occupational license in this State for which a background investigation was required from the additional requirement to submit to a background investigation pursuant to NRS 394.465.

***Should the Commission on Postsecondary Education be continued or terminated?***

***If the Sunset Subcommittee recommends terminating the Commission, should it:***

- ***Be consolidated with another entity; or***
- ***Have its duties transferred to another entity?***

***If the Sunset Subcommittee recommends continuing the Commission:***

- ***Does the Sunset Subcommittee want to recommend any modifications?***

**14. STATE 4-H CAMP ADVISORY COUNCIL (NRS [550.035](#))**

The State 4-H Camp Advisory Council (Council) was created in 1965, via the passage of SB 12. It consists of 12 members and is tasked with helping oversee the operation and management of the State 4-H Camp. The Sunset Subcommittee previously reviewed the Council on April 21, 2016, and voted to recommend the Council's continuation without any statutory changes. The Subcommittee reviewed the Council this interim on Tuesday, February 27, 2024. Testimony given by Kenny Haack-Damon, State 4-H Camp Education Program Coordinator, University of Nevada, Reno, at the meeting indicated that the Council recommends several technical changes to Chapter 550 of NRS primarily to reflect organizational and titular changes. The suggested changes are described in Attachment B to this document.

***Should the State 4-H Camp Advisory Council be continued or terminated?***

***If the Sunset Subcommittee recommends terminating the Council, should it:***

- ***Be consolidated with another entity; or***
- ***Have its duties transferred to another entity?***

***If the Sunset Subcommittee recommends continuing the Council:***

- ***Does the Sunset Subcommittee want to recommend any modifications?***

**15. RANGELAND RESOURCES COMMISSION (NRS [563.290](#))**

The Rangeland Resources Commission (Commission) was created in 1999, via SB 310 and consists of nine members appointed by the Governor. The Commission is authorized to conduct a broad range of activities with the overarching goals of supporting and enhancing the livestock industry on grazing lands in Nevada. These activities include, but are not limited to, research, educational and advertising campaigns, and making determinations concerning the availability of forage on grazing lands. The Commission is also tasked with collecting annual fees from persons who graze cattle or sheep on grazing lands during the preceding calendar year. These funds are used to carry out the work of the Commission. While there were no formal recommendations made for statutory or other modifications when the Sunset Subcommittee reviewed the Commission on April 23, 2024, Chair Hank Vogler did suggest in testimony that revising the terms of the commissioners in statute to be staggered would be helpful in maintaining Commission membership. Currently, of the nine statutory members, five member's terms are expired and two are vacant.

***Should the Rangeland Resources Commission be continued or terminated?***

***If the Sunset Subcommittee recommends terminating the Commission, should it:***

- ***Be consolidated with another entity; or***
- ***Have its duties transferred to another entity?***

***If the Sunset Subcommittee recommends continuing the Commission:***

- ***Does the Sunset Subcommittee want to recommend any modifications?***

**C. ADDITIONAL ISSUES FOR CONSIDERATION FROM THE 2021–2022 INTERIM—PROVISIONS INCLUDED IN [SENATE BILL 210](#) (2023)**

At the Sunset Subcommittee meeting on January 26, 2024, staff reviewed four recommendations that were made by the Sunset Subcommittee during the 2021–2022 Interim and were included in SB 210 of the 83<sup>rd</sup> Session. Governor Lombardo vetoed the bill. However, in his veto message the Governor mentioned only one provision of the bill to which he objected based on the separation of powers between the Executive and Legislative branches of government. Does the Subcommittee wish to revisit the remaining three provisions that were contained in the bill, which are as follows:

- The Subcommittee voted to recommend legislation to amend Chapter 232A of NRS to require Nevada’s boards, commissions, and similar entities to submit to the Governor a list of persons qualified for membership within 60 days after a position appointed by the Governor on a board, commission, or other similar entity becomes vacant.
- The Subcommittee voted to recommend legislation to amend NRS 232B.210 to require the Chair of the Legislative Commission to appoint the Chair and Vice Chair of the Subcommittee—each representing a different house of the Legislature.
- The Subcommittee voted to recommend legislation to remove the requirement for certain professional or occupational licensing boards and regulatory bodies to submit a quarterly report to the Legislature concerning petitions for the review of the criminal history of potential applicants for an occupational or professional license, and to amend NRS 232B.237 to require the Subcommittee to review not less than three professional or occupational licensing boards and regulatory bodies regarding restrictions on criminal histories of applicants each legislative interim.

# **ATTACHMENT A**

Joe Lombardo  
Governor

Richard Whitley, MS  
Director



# DEPARTMENT OF HEALTH AND HUMAN SERVICES

## DIVISION OF HEALTH CARE FINANCING AND POLICY

*Helping people. It's who we are and what we do.*



Stacie Weeks,  
JD MPH  
Administrator

### MEMORANDUM

**DATE:** May 7, 2024

**TO:** Patrick Guinan, Chief Principal Policy Analyst  
Research Division, Legislative Counsel Bureau

**FROM:** Stacie Weeks, Administrator, Nevada Department of Health and Human Services, Division of Health Care Financing and Policy  
Malinda Southard, Deputy Administrator, Nevada Department of Health and Human Services, Division of Health Care Financing and Policy

**RE:** **Enhanced Recommendation for Sunset of the Advisory Committee on Medicaid Innovation requested at the March 27, 2024, Meeting of the Sunset Subcommittee of the Legislative Commission**

The Division of Health Care Financing and Policy (DHCFP) received a request to submit an enhanced recommendation for the sunset of the Advisory Committee on Medicaid Innovation (ACMI). Specifically, the request was to identify the duties of the ACMI that are currently being performed, or can be performed, by other boards, commissions, or areas within the DHCFP and whether any statutes exist related to those requirements. Below you will find an itemized list of all duties pertaining to the ACMI, where that work is currently being performed, and whether that work is required by statute.

#### Duties of the ACMI as required by Nevada Revised Statutes (NRS) 422.165:

**NRS 422.165(1)(a) requires the ACMI to study “the manner in which to create or expand public or private prescription purchasing coalitions.”**

- This work is currently being performed by DHCFP as the Division reviews better ways to leverage purchasing power within Nevada Medicaid. DHCFP participates in a Medicaid rebate pool which allows for better negotiations with drug manufacturers.
- There is no statute requiring DHCFP to perform this work, however work on this issue is driven by the Statewide Managed Care effort.

**NRS 422.165(1)(b) requires the ACMI to study “the manner in which to encourage access to employer-based health insurance plans, including, without limitation: (1) Coordinating coverage provided by the State Plan for Medicaid and private health insurance which may be provided by an employer to a person eligible for Medicaid; and (2) Providing assistance to a person who is eligible for Medicaid to allow the person to purchase private health insurance.”**

- This work is currently being performed by DHCFP through a program: Health Insurance Premium Payment (HIPP) managed by Health Management Systems, Inc. (HMS). Nevada Medicaid may pay insurance premiums through Employer-Based Group Health Plans for individuals and families when it is cost effective for the State.

- The Patient Protection Commission may be an additional helpful space for these conversations as the Department look to get more people enrolled in coverage and might be a good supplementary avenue for this work moving forward.
- There is no statute requiring DHCFP to perform this work.

**NRS 422.165(1)(c) requires the ACMI to study “opportunities to apply to the Secretary of the United States Department of Health and Human Services for certain waivers pursuant to 42 U.S.C. §§ 1315 and 18052.”**

- This work is currently being performed by DHCFP’s Federal Waiver Unit as authorized by the Interim Finance Committee (IFC) in October 2023 to research, apply for and administer federal waivers that would benefit the recipients of the state.
- There is no statute requiring the Federal Waiver unit to perform this work, however the unit supports all legislatively approved waivers for the division.

**NRS 422.165(2) requires that “at least once each year, the Advisory Committee shall make such recommendations to the Director as it deems appropriate relating to opportunities to improve Medicaid or to increase access to health insurance.”**

- This work is currently being performed by the Medical Care Advisory Committee (MCAC; NRS 422.151-155)
- The statute requiring the MCAC to perform this work is NRS 422.151 2(a) “Advise the Division regarding the provision of services for the health and medical care of welfare recipients.”

# **ATTACHMENT B**



## **Proposed Changes to Chapter 550-State 4-H Camp**

### **NRS 550.010 Definitions.**

2. "Director" means the Director of the University of Nevada Cooperative Extension (or their designee) of the public service division of the Nevada System of Higher Education (NSHE).

### **NRS 550-030 Purpose**

The purpose of the State 4-H Camp is to provide a living and learning environment in a natural setting where 4-H and other youth organizations can learn life skills, leadership and citizenship, as well as an appreciation for nature.

### **NRS 550.035**

State 4-H Camp Advisory Council: Creation, number, terms, and selection of members. The state 4-H camp advisory council is hereby created to consist of 12 members, chosen for terms of 3 years as follows:

1. Four members from the certified 4-H volunteer leaders in this state.
2. Two members appointed by the President of the University of Nevada, Reno
3. Four members designated by the Nevada Farm Bureau
4. Two members from the University of Nevada Cooperative Extension system

Terms for state 4-H camp advisory council members should not exceed three years and should overlap among the members. Members may serve two (2) consecutive terms. A member who has served two consecutive terms will normally leave the Board for one year before being eligible once again for election and/or appointment. In special circumstances, and with the Director's approval, a member's length of continuous service on the Board may be extended for a third three-year term.

### **NRS550.050 Powers and duties of Director**

1. The director (or designee), under the supervision and control of the Board of Regents, is authorized and directed:
2. Delete this section.

### **NRS 550.070 Lease, exchange, or sale of real property of state 4-H camp by board of regents; conditions; disposition of proceeds.**

The board of regents, upon the recommendation of the director (or designee) and the state 4-H camp advisory council, and with the approval of the governor...

### **NRS 550.080 Acquisition or granting of right of way; utilities; adjustment of boundaries**

1. With the approval of the board of regents and the 4-H camp advisory board, the director (or designee) is authorized to conduct negotiations...

# **ATTACHMENT C**

Chair Daly proposes an additional recommendation to the changes suggested by the Advisory Council, as follows:

Recommend amending *Nevada Revised Statutes* (NRS) 550.070 to:

- a. Provide that any parcel or parcels composing the State 4-H Camp may not be leased, exchanged, or sold except pursuant to authority granted by an act of the Legislature.
- b. Authorize the Board of Regents, upon the recommendation of the Director of the Agricultural Extension Department, the State 4-H Camp Advisory Council, and with the approval of the Governor, to submit a recommendation to the Legislative Commission that a parcel or parcels composing the State 4-H Camp be leased, exchanged, or sold if such land can no longer serve the purpose and intent of Chapter 550 of NRS.

If Chair Daly's proposal is accepted by the Subcommittee along with the suggestions made by the Advisory Council, the full motion would be as follows:

1. Continue the State 4-H Camp Advisory Council;
2. Recommend the changes to Chapter 550 of NRS brought forward by the Advisory Council; and
3. Recommend an additional amendment to NRS 550.070 as described above.