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Nevada Silver Haired Legislative Forum

(NRS 427A.320)

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LEGISLATIVE COUNSEL BUREAU

NEVADA SILVER HAIRED LEGISLATIVE FORUM

Nevada Revised Statutes (NRS) 427A.320

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NEVADA REVISED STATUTES (NRS) 427A.320

NRS 427A.320 Creation.

The Nevada Silver Haired Legislative Forum is hereby created to identify and act upon issues of importance to aging persons.

(Added to NRS by [1997, 2724](#); A [2001, 3026](#))

INTRODUCTION

The Nevada Silver Haired Legislative Forum was created by the 1997 Nevada Legislature under [NRS 427A.320](#) to identify and act upon issues of importance to aging persons. Its membership, powers, and duties are codified in [NRS 427A.313](#) through [427A.400](#). Further, [NRS 218D.220](#) authorizes the Forum to submit one bill draft request (BDR) on or before September 1, preceding each regular legislative session.

The Forum is comprised of members equal to the number of State Senators (21) who, among other qualifications, must have been registered voters for one year preceding their appointment in the senatorial district of the Senator who nominates them. As of August 2024, the Forum had 17 members. The Forum seats for Senate Districts 1, 15, 16, and 19 remained or became vacant during this interim.¹ Members of the National Silver Haired Congress from Nevada may serve as ex officio members of the Forum; however, Nevada appears to have no active Congress members.

The Forum held five meetings during the 2023–2024 Interim and completed its work on August 7, 2024. Throughout the interim, the Forum considered topics relating to: (1) unhoused senior citizens; (2) access to mental and physical health care and limited geriatric training of health care professionals; (3) food insecurity among seniors; (4) transportation programs and services for low-income seniors; and (5) unretirement and age discrimination of older persons. All meetings were open to the public and conducted through simultaneous videoconferences between legislative meeting rooms in Las Vegas and Carson City, Nevada. Forum members and presenters also attended remotely using an online videoconferencing platform.

During its final meeting and work session on August 7, 2024, the Forum approved a recommendation for a BDR to be considered by the 83rd Session of the Nevada Legislature. The premise of the BDR is to increase legal protections for seniors against physical and financial harm. Forum members also authorized the Forum President to send letters to the Governor, various legislative committees, and State and local government agencies in support of certain efforts that were considered by the Forum during the interim.

Each meeting had a primary focus as follows:

1. [February 21, 2024](#)—Election of Forum Officers and State Agencies Overview Presentations

During the Forum’s first meeting of the 2023–2024 Interim, members reelected the Forum officers from the previous interim and received presentations regarding member responsibilities and meeting protocols and procedures. Members also heard presentations and testimony regarding the programs and services available to seniors through the Aging and Disability Services Division (ADSD) of the Department of Health and Human Services

¹ Pursuant to [NRS 427A.330](#), a Senator shall nominate a person for appointment to the Forum. The Senators of Senate Districts 16 and 19 did not nominate a qualifying person for appointment to the Forum, and the members of Senate Districts 1 and 15 resigned during the interim, which explains why these Forum seats have been vacant as of August 2024.

(DHHS). Additionally, Members heard agency updates from ADSD; the Division of Health Care Financing and Policy (DHCFP), DHHS; and Nevada’s Office of the Attorney General on implementation of legislation pertaining to seniors which passed during the 2023 Legislative Session.

2. [April 9, 2024](#)—Homelessness and Mental Health Care for Seniors

At the second Forum meeting, members heard expert testimony from various agencies and direct service providers regarding housing challenges for seniors in Nevada, particularly limited availability of affordable housing. General information was also provided on behavioral and mental health care services available to seniors in the State through the Division of Public and Behavioral Health (DPBH), DHHS.

3. [May 22, 2024](#)—Addressing Food Insecurity of Seniors

Testimony provided at the third meeting focused on the work and challenges of the Governor’s Council on Food Security, access to food and nutrition services available to seniors through ADSD, and the Supplemental Nutrition Assistance Program (SNAP) administered by the Division of Welfare and Supportive Services (DWSS), DHHS. Members also received a brief overview of the Nevada 2-1-1 Program and the Program’s quarterly service report from January through March 2024.

4. [June 26, 2024](#)—Access to Transportation, Impacts and Trends of Unretirement, and Aging and Quality of Life for Seniors

During the fourth meeting, members heard testimony from the Regional Transportation Commissions (RTCs) of Washoe County and Southern Nevada. Information was provided to the Forum about transportation services available to seniors, where these services operate, and how seniors can access them. Other presentations focused on current labor market trends for seniors and how their returning to work is having noticeable fiscal, individual, and overall workforce impacts. Finally, members heard presentations on aging and quality of life for seniors in Nevada and the challenges and opportunities of the geriatric health care workforce in the State.

5. [August 7, 2024](#)—Work Session

At the final meeting and work session, Forum members considered recommendations for a BDR to either:

- a. Increase protections for seniors against physical and financial harm by increasing the maximum term of imprisonment as penalty for home invasion that results in injury or death of seniors, and expand categories of the list of crimes committed against seniors; or
- b. Streamline the SNAP process for enrollment in the Program for seniors and provide greater flexibility to the Director of Nevada’s State Department of Agriculture (NDA) to carry out the purposes of the Home Feeds Nevada Agriculture Food Purchase Program.

The members approved the recommendation for the drafting of a bill to increase protections for seniors against physical and financial harm. The Forum also wanted to bring awareness to certain topics related to the overall well-being of seniors in Nevada and voted to send letters of support for specific issues to the Governor, the Legislature, the Attorney General, DHHS, and certain State and local government agencies.

More information about the Forum’s activities—including minutes, recordings of meetings, and copies of presentations and other exhibits—may be accessed on the Legislature’s website for the [2023–2024 Interim](#).

DISCUSSION OF TESTIMONY AND RECOMMENDATIONS

At its final meeting and work session on August 7, 2024, the Nevada Silver Haired Legislative Forum considered a total of seven proposed actions for legislation, letters, or statements to include in its final report. Additional information regarding all recommendations considered is available in the Forum’s “Work Session Document” at: <https://www.leg.state.nv.us/App/InterimCommittee/REL/Document/30949>.

A. Increased Protections for Seniors Against Physical and Financial Harm

Recommendation 1

During the meeting on [February 21, 2024](#), representatives from the Bureau of Consumer Protection, Office of the Attorney General, provided an [overview](#) of the work and services accomplished by the Bureau, particularly the efforts to protect seniors from scams and fraud in Nevada. Mark J. Krueger, Consumer Counsel and Chief Deputy Attorney General, and Samantha Feeley, Deputy Attorney General, pointed out that Nevada ranks third in the nation for seniors becoming targets of fraud and scams. In 2023, Nevada seniors lost over \$113 million because of fraud.

Some members expressed an interest in greater protections for the physical well-being of Nevada seniors as well, particularly after recent news reports of seniors being severely injured during the course of a home invasion, when individuals forcibly entered a home without permission of the owner. Members also received an update on the implementation of [Assembly Bill 373](#) (2023), which increased the civil and criminal penalties for deceptive trade practices committed against an elderly person, which was based on a recommendation from the Forum during the past interim.

At its final meeting and work session on [August 7, 2024](#), the Forum voted to propose legislation to:

1. Increase the maximum term of imprisonment from 15 to 20 years as penalty for home invasion ([NRS 205.067](#)) that results in the injury or death of a Nevadan 60 years of age or older, which would be in addition to the enhancement prescribed in [NRS 193.167](#); and

2. Expand the categories of the list of crimes committed against persons 60 years of age or older punishable by law in [NRS 193.167](#) to include:
 - a. Theft;
 - b. General fraud; and
 - c. Violations of the Deceptive Trade Practices Act set forth in [Chapter 598](#) of NRS. (BDR 15–342)

B. Addressing Food Insecurity Among Seniors

Recommendation 2

At the meeting on [May 22, 2024](#), presentations focused on the food insecurity of older adults in Nevada. Sarah Rogers, Nutrition Unit Deputy Chief, Bureau of Child, Family and Community Wellness, DPBH, DHHS, presented an [overview](#) of the insufficient access to food for seniors in the State and further explained the number of seniors struggling with hunger in Nevada has increased by 36 percent in the last decade. Researchers project Nevada will have at least 100,000 seniors struggling with food insecurity by 2025.

The Forum also heard expert [testimony](#) from Kelly Cantrelle, Deputy Administrator of Program Field Operations, DWSS, DHHS, regarding [SNAP](#). Over 77,000 older adults in Nevada are dependent on SNAP benefits in order to purchase food each month. Currently, over 14,000 of those seniors are receiving \$23 or less per month in SNAP benefits.

At its final meeting and work session on [August 7, 2024](#), the Forum voted to:

1. Send letters to the Governor, the Chairs of the Senate and Assembly Committees on Health and Human Services (HHS), the Director of DHHS, and the Director of NDA expressing the Forum’s support of efforts to reduce food insecurity of senior citizens in Nevada by:
 - a. Encouraging the Director of DHHS to seek all federal authority to:
 - i. Reduce the number of verification requirements for Nevadans 60 years of age or older in certifying and recertifying eligibility to receive SNAP benefits;
 - ii. Provide applicants 60 years of age or older with a simplified version of the SNAP application in large print; and
 - iii. Allow telephone enrollment for SNAP benefits to applicants 60 years of age and older; and
 - b. Urging legislation to revise the definition of “food bank” in subsection 7(b) of [NRS 561.515](#) to mean a food bank or other organization that is a member of the Feeding America network or any other nonprofit organization in Nevada providing food services to individuals in need, as determined by the Director of NDA, in an

effort to give NDA greater flexibility in the number and types of organizations that may receive food distributions from the Home Feeds Nevada Agriculture Food Purchase Program.

C. Prevention of Age Discrimination in Hiring Process

Recommendation 3

At the Forum meeting on [June 26, 2024](#), members heard presentations on transportation, unretirement and current labor market trends for older workers, age discrimination, aging and quality of life, and geriatric health care workforce challenges in the State. Testimony from the Nevada Equal Rights Commission highlighted that legislation to protect older workers is limited simply because the statutory requirements to prove age discrimination create a burden of proof for a complainant that is difficult to meet. During the discussion of the topic, a recommendation for possible future legislation evolved based on other State legislation passed in recent years prohibiting employers from asking for age-related information (e.g., age, date of birth, and graduation date) on employment applications.

At its final meeting and work session on [August 7, 2024](#), the Forum voted to:

Send letters to the Nevada Equal Rights Commission; the Department of Employment, Training and Rehabilitation; and the Chairs of the Senate and Assembly Committees on Commerce and Labor expressing the Forum's support for decreasing discrimination against Nevadans 60 years of age or older in the workplace. Specifically, the letter should encourage them to support efforts to remove questions about age or date of birth from employment applications. Additionally, the letter should highlight that at least six other states—California, Colorado, Connecticut, Delaware, Minnesota, and Pennsylvania—have enacted legislation in recent years that prevents employers from asking a prospective employee's age or date of birth.

D. Increased Reimbursement Rate for Home Delivered Meals

Recommendation 4

During the meeting on [May 22, 2024](#), representatives of DHCFP provided an [overview](#) of Nevada Medicaid's home-delivered meals program. The program is available to homebound seniors who are unable to prepare or obtain nutritional meals independently. Forum members learned there are five home-delivered meals providers enrolled in Medicaid, and approximately 1,400 seniors enrolled with Medicaid's home- and community-based waiver for the frail elderly in rural and urban Nevada are recipients of the home-delivered meals program. Costs of the program include meal planning, purchase, preparation, and transportation expenses to take meals to a person's home. A rate study conducted by DHCFP evaluated the current \$5 reimbursement rate per meal and decided there would need to be an increase in the rate in order to sustain the program.

Initially, DHCFP requested assistance from the Forum to support efforts to increase the rate with a budget initiative during the 2025 Session. However, an update from Kirsten Coulombe, Social Services Chief III, DHCFP, DHHS, stated that Nevada Medicaid had some budget savings

and was able to move forward and implement on its own the rate increase needed for the sustainability of the home-delivered meals program.

At its final meeting and work session on [August 7, 2024](#), the Forum voted to:

Send letters to the ADSD, the DHCFP, the Director of DHHS, and the Chairs of the Senate and Assembly Committees on HHS to express the Forum’s appreciation and support of the recent implementation of a reimbursement rate increase for the home-delivered meals program through Medicaid’s Home- and Community-Based Services waivers and encourage these entities to bolster State efforts that reduce food insecurity for low-income seniors who are homebound.

E. Basic Geriatric Training for All Health Care Fields

Recommendation 5

A [presentation](#) from Peter Reed, Ph.D., M.P.H., Director, Sanford Center for Aging, University of Nevada, Reno (UNR) School of Medicine, at the meeting on [June 26, 2024](#), discussed health care concerns and access to health care for seniors in Nevada. Members learned that at least 80 percent of adults 65 years of age or older have at least one chronic health condition, and 68 percent have two or more chronic conditions. The cumulative impact of those chronic conditions often leads to compromised independence with activities of daily living, such as bathing, eating, and mobility.

One of the policy recommendations listed in Dr. Reed’s presentation was a proposal for a significant infusion of support for seniors to receive quality, geriatrics-focused health care. He mentioned that Nevada is often referred to as “a neurology desert,” which complicates opportunities to get accurate cognitive decline assessment and diagnoses for seniors. Additionally, Nevada has a very low number of certified geriatricians—only 57, which is 1 physician specializing in elder health care for every 11,983 people age 60 or older, according to Dr. Reed. Therefore, ensuring providers have the appropriate education and training to support older adults is critical.

At its final meeting and work session on [August 7, 2024](#), the Forum voted to:

Send letters to the Nevada System of Higher Education and the Sanford Center for Aging, UNR School of Medicine, expressing the Forum’s support for including courses in basic geriatric care for all health care training programs in Nevada. The letter should explain there is a growing deficit in geriatricians providing care for older adults, which will worsen as the population continues to age. This means all clinicians, especially family medicine and general practitioners, will be providing the bulk of care for older adults. The letter shall serve as a call to action to improve care for older adults in Nevada and our future selves, ensuring trainees are prepared to care and advocate for this diverse and often vulnerable population.

F. Improved Access to Secure and Stable Housing for Seniors in Nevada

Recommendation 6

During the Forum meeting on [April 9, 2024](#), members heard presentations on homelessness in Nevada, particularly the situation for unhoused seniors and currently available supportive services. Michele Fuller-Hallauer, M.S.M., L.M.S.W., Chair, Technical Assistance Committee for the Nevada Interagency Council on Homelessness to Housing, provided an [overview of the Council](#) and its work to coordinate resources and focus the State's efforts to effectively address homelessness. She also discussed the prevalence of homelessness among seniors in Nevada. According to her testimony, 31 percent of extremely low-income renter households belong to seniors. Members also learned there is a growing upward trend in the proportion of “older” persons among homeless populations, which has a strong correlation with insufficient income and lack of affordable housing. Perhaps more concerning, in terms of available affordable housing, Nevada only has 14 units available per 100 extremely low-income households when compared with the national average of 34 affordable housing units per 100. Further, unhoused seniors experience higher rates of age-related health challenges that impact activities of daily living, such as cognitive impairments, depression, vision impairment, and increased risk of falls.

Ms. Fuller-Hallauer concluded by recommending not only an increase in the number of affordable housing units, but also to establish a rent stabilization fund that would provide low-income senior renters with a monthly stipend that would help absorb any rental increases on an annual basis.

At its final meeting and work session on [August 7, 2024](#), the Forum voted to:

Send letters to the Governor; Nevada's Housing Division, Department of Business and Industry; DWSS, DHHS; and the Nevada Association of Counties expressing the Forum's support of greater coordination of State agencies and consolidated efforts to address the growing need for safe, secure, and stable housing for Nevada seniors. The letter shall also include a recommendation to establish a multi-year rent stabilization fund.

G. Support for Recreational Programs for Seniors

Recommendation 7

During Dr. Reed's [presentation](#) at the Forum meeting on [June 26, 2024](#), he discussed the “4 Ms of an Age-Friendly Health System,” and one of those four factors is mobility. He briefly described the importance for health care providers and community supportive services to have increased awareness of geriatric syndromes, such as arthritis, cardiovascular disease, obesity, and osteoporosis. These conditions, among others, can significantly limit seniors' ability to maintain physical health and impact their ability to remain independent longer.

Dr. Reed recommended a substantial infusion of support for community-based supports and services, such as senior centers and adult day care, and those that offer opportunities for physical activity and social engagement. In response to a question on how mobility and recreation therapy programs for seniors—especially those with neurodegenerative disorders—can be bolstered, Dr. Reed responded that it is critical to raise public awareness of such programs and services because sometimes the information and resources are not easily accessible.

At its final meeting and work session on [August 7, 2024](#), the Forum voted to:

Send letters to ADSD and DPBH, DHHS, and Nevada’s Division of Outdoor Recreation, State Department of Conservation and Natural Resources, expressing the Forum’s support for greater collaboration in creating recreational programs for seniors, especially for those with neurodegenerative disorders. The letters shall highlight that older adults reap many rewards from physical activity, including the ability to live independently longer, have a better quality of life, and require less medical care. The letters shall also include a recommendation for efforts to create a resource listing of entities that offer such recreational programs for seniors.

SUGGESTED LEGISLATION

The following BDR will be available during the 2025 Legislative Session at the following website: <https://www.leg.state.nv.us/App/NELIS/REL/83rd2025/Bdrs/List>.

BDR	15–342	Increases penalties for certain crimes committed against older or vulnerable persons.
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