



RESEARCH DIVISION  
LEGISLATIVE COUNSEL BUREAU  
Nonpartisan Staff of the Nevada Legislature

# WORK SESSION

## Senate Committee on Legislative Operations and Elections

May 25, 2015

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### Bills Under Consideration

The following measures may be considered for action during today's work session. In some cases, possible amendments are noted. These amendments were either suggested during testimony or submitted after the hearing and do not necessarily have the approval of the Committee.

- Assembly Bill 242 (R1)** \_\_\_\_\_  
**Floor Assignment** \_\_\_\_\_
  
- Senate Bill 269** \_\_\_\_\_  
**Floor Assignment** \_\_\_\_\_
  
- Senate Bill 413** \_\_\_\_\_  
**Floor Assignment** \_\_\_\_\_

**Committee Action:**  
**Do Pass** \_\_\_\_\_  
**Amend & Do Pass** \_\_\_\_\_  
**Other** \_\_\_\_\_

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Senate Committee on Legislative Operations and Elections  
This measure may be considered for action during today's work session.  
May 25, 2015

**ASSEMBLY BILL 242 (FIRST REPRINT)**

**Directs the Legislative Commission to appoint a subcommittee to conduct a study of postacute care in Nevada. (BDR S-417)**

**Sponsored by:** Assembly Committee on Health and Human Services (on Behalf of the Legislative Committee on Senior Citizens, Veterans and Adults With Special Needs)

**Date Heard:** May 20, 2015

**Fiscal Impact:** Effect on Local Government: No  
Effect on the State: No

Assembly Bill 242 requires the Legislative Commission to appoint a subcommittee to conduct an interim study on postacute care in Nevada. The study must review and evaluate, without limitation: (1) alternatives to institutionalization; (2) cost saving alternatives of home- and community-based waiver programs; (3) the impact of postacute care services on the quality of life of persons receiving such services; and (4) state and national quality measures and funding methodologies for postacute care.

The Legislative Commission must submit a report of its findings, including, without limitation, any recommendations for legislation to the Director of the Legislative Counsel Bureau for transmittal to the 79th Session of the Nevada Legislature.

**Amendments:** No specific amendments were offered.

**Special Notes:** Testimony from Paul Shubert, Division of Public and Behavioral Health, Department of Health and Human Services, noted that with adoption of the Assembly amendment to A.B. 242 and its subsequent reprint, the fiscal note is no longer applicable.

**Committee Action:**  
**Do Pass** \_\_\_\_\_  
**Amend & Do Pass** \_\_\_\_\_  
**Other** \_\_\_\_\_

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Senate Committee on Legislative Operations and Elections  
This measure may be considered for action during today's work session.  
May 25, 2015

**SENATE BILL 269**

**Establishes an interim study committee to research issues regarding the behavioral health and cognitive care of older persons. (BDR S-1035)**

**Sponsored by: Senators Woodhouse, Ford, Atkinson, Spearman, Parks, et al., and Assemblywoman Joiner, et al.**

**Date Heard: May 13, 2015**

**Fiscal Impact: Effect on Local Government: No  
Effect on the State: Yes**

Senate Bill 269 establishes an interim study concerning unmet needs related to the behavioral and cognitive care of older persons. The Legislative Commission shall appoint a committee consisting of six legislators, two of whom are appointed by the Senate Majority Leader, two by the Speaker of the Assembly, and one legislator each appointed by the Senate Minority Leader and the Assembly Minority Leader. The resolution requires the Committee to consult with and solicit input from various experts in the field of behavioral and cognitive care of older persons. This can include employees of the Division of Public and Behavioral Health, the Chair of the Governor's Behavioral Health and Wellness Council, representatives of associations or groups that provide services to persons with Alzheimer's Disease, and medical and academic experts who have knowledge of cognitive disorders.

The interim study is required to research potential sources of State funding available to support evidence-based statewide community programs to aid caregivers and to assist Nevada's Care Connection and Nevada 2-1-1 in the creation of the "No Wrong Door" program designed to assist caregivers. In addition, the interim study is tasked with evaluating the possibility for the establishment of a higher rate of reimbursement by Medicaid for nursing facilities that support older adults with behavioral and cognitive health needs. Finally, the interim study shall analyze the provision of education and training for health care professionals in the screening, diagnosis, and treatment of behavioral and cognitive diseases prevalent in older persons.

**Amendments:** During the hearing, Jeff Klein, representing Nevada Senior Services, requested that the list of individuals and groups with whom the interim study committee should consult (Section 2, subsection 3) also include:

- A representative from a nonprofit community agency that provides caregiver support and services to older Nevadans with behavioral issues; and
- The Administrator of the Aging and Disability Services Division or other person from the Division designated by the Administrator  
*(proposed by Jeff Klein, Nevada Senior Services)*

**Special Note:** During testimony on this measure, Daniel Mathis, representing the Nevada Health Care Coalition, and Connie McMullen, Member, Nevada Commission on Aging, requested that S.B. 269 include a number of the components found in Assembly Bill 242. Assembly Bill 242 is included in today's work session for possible approval.

**Committee Action:**  
**Do Pass** \_\_\_\_\_  
**Amend & Do Pass** \_\_\_\_\_  
**Other** \_\_\_\_\_

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Senate Committee on Legislative Operations and Elections  
This measure may be considered for action during today's work session.  
May 25, 2015

**SENATE BILL 413**

**Revises provisions relating to the state legislative process. (BDR 17-872)**

**Sponsored by: Senator Smith**  
**Date Heard: May 20, 2015**  
**Fiscal Impact: Effect on Local Government: May Have Fiscal Impact**  
**Effect on the State: Yes**

Senate Bill 413 formalizes the current practice of accepting unsolicited fiscal notes by State agencies or local governments and posting them on the Legislature's website. The bill creates an option that allows the Chairs of the "money" committees, on their own initiative or by request of another legislator, to direct the Fiscal Analysis Division of the Legislative Counsel Bureau to seek additional information and to prepare an analysis on the fiscal impact of a bill that has been referred to a money committee. In preparing this analysis, the Division could ask the affected State agency or local government to provide additional information within three working days, or use other sources of information to prepare its analysis. When completed, the Division's analysis would be submitted to the Chair and members of the money committee.

Under S.B. 413, a legislator will have two working days to object to a fiscal note that is submitted on his or her bill. The legislator's objection must be in writing and include an explanation of the reasons for the objection. The Fiscal Analysis Division would have to decide if a revision is warranted and, if it decides a revision is in order, it would give the affected State agency or local government one working day to submit a revised note.

The bill also changes the "Effect on the State" language found on fiscal notes from "Yes" to "May Have Fiscal Impact" to mirror existing local government language. Senate Bill 413 eliminates the need for a fiscal note if the only impact is a term of imprisonment in a local jail and clarifies that the Department of Administration must review fiscal notes within five working days of the deadline to submit fiscal notes. Finally, S.B. 413 requires the entity submitting a fiscal note to specifically state whether or not there is a fiscal impact and allows fiscal notes on bills—other than legislator bills—to be printed and posted online as soon as they are received without waiting for bill introductions.

**Amendments:** Subsequent to the meeting, the Nevada Association of Counties submitted an amendment to change, from one day to three days, the number of days that a county has to return a revised fiscal note in the event that the Fiscal Analysis Division determines that a revision is warranted. A copy of this amendment is attached.

*(proposed by the Nevada Association of Counties)*

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### Proposed Amendment to SB413

*Purpose of the amendment: to change from one day to three the number of days that a county has to return a revised fiscal note in the event that the Fiscal Analysis Division determines that a revision is warranted.*

EXPLANATION – Matter in Blue, bolded, underlined italics is proposed new language; matter shown as ~~omitted material~~ (strikethrough text) is material proposed to be omitted.

1           **Section 9.4 If the Fiscal Analysis Division receives notification of an objection**  
2 **to a fiscal note pursuant to subsection 3 in a timely manner, the Fiscal Analysis**  
3 **Division shall review the notification and determine whether a revision to the fiscal**  
4 **note is warranted. If the Fiscal Analysis Division determines that a revision to the**  
5 **fiscal note is warranted, the Fiscal Analysis Division shall request that the agency or**  
6 **local government that submitted the original fiscal note submit a revised fiscal note**  
7 **within ~~1~~ 3 working days~~s~~ after the request or notify the Fiscal Analysis Division that**  
8 **it does not wish to revise the fiscal note. As soon as practicable after the period**  
9 **prescribed this subsection, the Fiscal Analysis Division shall submit the original or**  
10 **revised fiscal note for printing pursuant to NRS 218D.555 and cause the printed**  
11 **version to be posted on the Internet website maintained by the Legislative Council**  
12 **Bureau.**  
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