

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON COMMERCE AND LABOR**

**Eighty-Second Session
February 20, 2023**

The Committee on Commerce and Labor was called to order by Chair Elaine Marzola at 1:31 p.m. on Monday, February 20, 2023, in Room 4100 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4406 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda [[Exhibit A](#)], the Attendance Roster [[Exhibit B](#)], and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.leg.state.nv.us/App/NELIS/REL/82nd2023.

COMMITTEE MEMBERS PRESENT:

Assemblywoman Elaine Marzola, Chair
Assemblywoman Sandra Jauregui, Vice Chair
Assemblywoman Shea Backus
Assemblyman Max Carter
Assemblywoman Bea Duran
Assemblywoman Melissa Hardy
Assemblywoman Heidi Kasama
Assemblywoman Daniele Monroe-Moreno
Assemblyman P.K. O'Neill
Assemblywoman Selena Torres
Assemblyman Steve Yeager
Assemblyman Toby Yurek

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

Assemblywoman Tracy Brown-May, Assembly District No. 42
Assemblywoman Cecelia González, Assembly District No. 16

STAFF MEMBERS PRESENT:

Marjorie Paslov-Thomas, Committee Policy Analyst
Sam Quast, Committee Counsel
Joe Steigmeyer, Committee Counsel



Cyndi Latour, Committee Manager
Elizabeth Lepe, Committee Secretary
Garrett Kingen, Committee Assistant

OTHERS PRESENT:

Jessica Adams, Deputy Administrator, Aging and Disability Services Division,
Department of Health and Human Services
Mary Pierczynski, representing State of Nevada Association of Providers
Dylan Keith, Assistant Director of Government Affairs, Vegas Chamber
Steven Cohen, Private Citizen, Las Vegas, Nevada
Susan L. Fisher, representing State Board of Osteopathic Medicine
Elliot Malin, representing Nevada Osteopathic Medical Association
Frank DiMaggio, Executive Director, State Board of Osteopathic Medicine
Serena Evans, representing Nevada Coalition to End Domestic and Sexual Violence
Amber Falgout, representing Battle Born Progress
Tessyn Opferman, representing Nevada Women's Lobby
Briana Escamilla, Director of Regional Organizing, Planned Parenthood
Greg Esposito, representing Nevada State Pipe Trades
Sara Evans, Director of Fundraising, Nevada Chapter, National Organization for
Women
J.P. Kemp, representing Nevada Justice Association
Erin Rook, Private Citizen, Las Vegas, Nevada
Stanley Thorns, Private Citizen Las Vegas, Nevada
Jim Hoffman, Board Member, Nevada Attorneys for Criminal Justice

Chair Marzola:

[Roll was called. Committee protocols were explained.] I am now going to open the hearing on Assembly Bill 78.

Assembly Bill 78: Exempts certain providers of jobs and day training services from licensure as nurses. (BDR 54-12)

Assemblywoman Tracy Brown-May, Assembly District No. 42:

Assembly Bill 78 makes important changes to help advance community integration for adults with disabilities. As a way of background, nearly one in four Americans are living with a disability. That is 25 percent of our population. Most people do not realize the significant number of people that deal with a disability every day. For too long, people with disabilities have been denied equitable access to social, educational, and professional opportunities. Community integration provides an opportunity for people with disabilities to achieve an overall healthier life and well-being. Specifically, jobs and day training (JDT) providers provide essential services to people who have profound disabilities and they assist people in accessing community. They also help to acquire meaningful skills for work, life, and employment.

Certain JDT services are currently restricted due to existing law requiring staff to be licensed by the State Board of Nursing to administer medication to individuals who may require it while participating in these programs. In addition, the certification to provide a JDT service must be acquired from the Division of Public and Behavioral Health, Department of Health and Human Services, and the Aging and Disability Services Division, who are here today. Assembly Bill 78 addresses the problem by exempting certified providers of JDT services in our community from obtaining licensure for the State Board of Nursing. To simplify, people who have intellectual and developmental disabilities have access to home- and community-based services that are overseen by the Aging and Disability Services Division here in Nevada. The same group of people are served by supported living arrangement providers and JDT providers. We are talking about folks who have intellectual and developmental disabilities receiving home- and community-based services. When you live in a residential home—a supported living arrangement home—your staff person can be certified through the Division of Aging and Disability Services to provide medication administration. So if you have a seizure disorder and you require seizure medication, your staff at home has the ability to become certified to administer your medication in a home setting. The JDT provider serving you during your day does not have the same ability to do that.

This provision would allow the JDT provider to certify their staff in the same way to be able to administer your medication during the day. What is the barrier? If your staff in a JDT center cannot be certified to do that, then a nurse must do it. You must stay in a setting that is center-based, like a workshop or a day activity program. You cannot go into the community. If your staff are allowed to become certified, then you would be able to go to the movies, bowling, volunteer at Three Square, or otherwise contribute in your community because your medication administration would not become a barrier. That is the entire ability of this law. That is what we are trying to accomplish: to gain access to the community for people with intellectual and developmental disabilities currently being served under the home- and community-based services ID [Intellectual Disabilities] waiver by JDT providers.

Section 1 of this bill amends *Nevada Revised Statutes* (NRS) 632.316 to do just that. You will notice in this bill that there is not a lot of language change. What it does is add section 11. That is exactly the same as section 10, which is where people with disabilities are currently being served. I am happy to answer questions.

Chair Marzola:

Does anyone have a question? [There were none.] I will go ahead with my question. Is a staffer who is trying to be certified to be able to administer certain medications when they are not in a controlled facility vetted in the same way that the nurses or whoever is administering the medication in the facility is vetted?

Assemblywoman Brown-May:

I would like to note that we have several representatives from the Aging and Disability Services Division here in the audience. Jessica Adams and her team are here. If I could please, Chair, I would like to invite them up to answer those questions.

Chair Marzola:

Please.

**Jessica Adams, Deputy Administrator, Aging and Disability Services Division,
Department of Health and Human Services:**

Jobs and day training providers are certified by the Aging and Disability Services Division under NRS 435.225. In our regulations that go along with that statute, we have requirements for things like background checks and trainings. Basically, all of the same types of things that you may see in medical fields. They are background checked. You can find the long list of disqualifying offenses in the background checks under *Nevada Administrative Code* (NAC) 435.860. It is a pretty extensive list, and if any of that comes back as a positive hit, they cannot work in this field.

Assemblywoman Torres:

Are there any other states that are currently doing this?

Jessica Adams:

Offhand, I am not sure if there are other states doing this. What I can tell you is that our supported living arrangement providers have had this exception in statute since 2005. For nearly 20 years, we have been able to do this on the residential services side.

Chair Marzola:

Are there any other questions? [There were none.] Thank you for your presentation. I will open testimony in support of Assembly Bill 78.

Mary Pierczynski, representing State of Nevada Association of Providers:

[Read from written testimony [Exhibit C](#).] The State of Nevada Association of Providers (SNAP) members partner with the State of Nevada's Aging and Disability Services Division to carry out programs such as supported living arrangements (SLA) and JDT services to adults with intellectual and developmental disabilities throughout the state. We estimate those served through SNAP comprise approximately 80 percent of the individuals with these disabilities around Nevada. The State of Nevada Association of Providers is in strong support of A.B. 78. As the bill describes, SLA service provider staff are allowed to—once trained by a qualified individual—distribute medication to those served in their facilities. This has been the most efficient and cost-effective system as it prevents the need to have nurses available 24 hours a day to administer medication, since those residing in SLA settings may need this service throughout the day. Conversely, JDT providers do not have this flexibility. This is not only inefficient, but it is costly to the state to have this disparate requirement. There exists the same ability to train staff on medication administration as SLA possesses so that those served may receive services as they do in the SLA settings. We want to thank you for allowing SNAP to provide testimony today and we are in strong support of this bill.

Dylan Keith, Assistant Director of Government Affairs, Vegas Chamber:

We are in support of this bill for its increased quality and access to care for all walks of life, as well as increasing the pipeline for health care providers which is so desperately needed in this state. We would like to thank the bill sponsor for bringing this bill forward and we urge your support. Thank you.

Steven Cohen, Private Citizen, Las Vegas, Nevada:

The presenters did such a great job. I will take the easy way out. Ditto that, Madam Chair. Thank you.

Chair Marzola:

Is there anyone wishing to speak in opposition of A.B. 78? [There was no one.] Is anyone wishing to testify in the neutral position for A.B. 78? [There was no one.] Assemblywoman Brown-May, would you like to give some final remarks?

Assemblywoman Brown-May:

Thank you, Madam Chair and members of the Committee. We sincerely appreciate your time and consideration of this matter today. I urge your support. Thank you.

Chair Marzola:

I will now close the hearing on Assembly Bill 78. I will now open the hearing on Assembly Bill 124.

Assembly Bill 124: Revises provisions governing the renewal of a license as an osteopathic physician or physician assistant. (BDR 54-525)

Assemblywoman Melissa Hardy, Assembly District No. 22:

I appreciate being here today to present Assembly Bill 124. With me today is Susan Fisher, Senior Vice President from McDonald Carano Government Affairs and Advocacy Group. Also, in Las Vegas is Frank DiMaggio, Executive Director of the State Board of Osteopathic Medicine. Nevada statute requires all licensees of the Board of Osteopathic Medicine to submit proof of completion of statutorily required continuing medical education (CME). *Nevada Revised Statutes* (NRS) 633.471 currently requires the Board to audit no less than one-third of the applicants for license renewal. The Board has four full-time employees including the Executive Director, with one employee dedicated to licensing. Auditing one-third of the licensees' CME is very time-consuming and reveals that its licensees typically have a 98.8 percent compliance rate. Section 1, subsection 3 of A.B. 124 revises NRS 633.471 to remove the statutory audit of one-third of the licensee CME submittals and add language allowing the Board to determine what percentage of renewal applications should be audited for CME compliance. I would like to turn it over to Ms. Fisher and Mr. DiMaggio in Las Vegas to go through the bill or answer any questions you may have.

Susan L. Fisher, representing State Board of Osteopathic Medicine:

First, I would like to thank Assemblywoman Hardy for introducing this bill for us as we look for ways to streamline the licensing process. This is an easy way for us to streamline the

process while making sure that we are taking care of good public health and ensuring that our physicians are well-qualified to represent Nevada patients. As Assemblywoman Hardy mentioned, the Board operates pretty lean, with only four full-time employees.

In a sample year on auditing, at the end of 2020 we had a higher number of noncompliance of the CME requirements, but that is because a lot of the CME courses were shut down due to COVID-19. At the end of 2020, they had not started doing a lot of the online courses yet. Since that time, and prior to the start of COVID-19, we have a really good compliance rate of our physicians. When they send in their renewal applications, they do not send in all of the certificates from all of their CME courses that they have taken over the past year. What they do is attest to the fact that they have completed all of the CME requirements. Then, our Board would audit 30 percent. We had to do that because A.B. 124 required that. This was put into statute in 1999. In checking with the Board of Medical Examiners and the State Board of Pharmacy, they do not have a similar requirement in their statute. They do audit the CMEs to make sure that their licensees have completed the CME requirements. However, they do it via policy and the Board decides how many they feel they need to audit. They typically shoot for about 10 percent, and we would probably do about the same to stay compliant with the other board members. We are sort of going overboard on the ones that we are auditing now, and it takes a lot of time for our licensees to pull together all of those certificates and get them to us. It also takes a lot of time for our staff to do it as well. Our compliance rate of 98.8 percent is a pretty good compliance rate, and that is typical over a normal year. I am happy to answer any questions. Thank you.

Assemblywoman Kasama:

I know you and I have visited a little bit about this. I come from the real estate background and when we submit for our license renewal, we have to include the certificate. There are no audits that go on; it is immediate. They look at it, see if all those certificates are there, and then they reissue a license. If all of those certificates are not there, the license is suspended until you get caught up. It seems like a very efficient system. They do not need auditors for it. Every time you apply, they look at it, and then you have 100 percent compliance; otherwise, your license is suspended. I am wondering why that is not being used.

Susan Fisher:

I do not know why we do not do it that way. Perhaps Mr. DiMaggio could answer that question for us. From what I understand from the other medical regulatory boards, they do not require the actual certificates either. The physicians simply attest to the fact that they have completed them.

Assemblyman Yurek:

With respect to the percentage that would be audited, is it proposed to be a random selection for auditing, or is it a selected group?

Susan Fisher:

It would be random.

Chair Marzola:

Does anyone else have a question? [There were none.] Do you have the rate of noncompliance for 2019, before the pandemic?

Susan Fisher:

Yes, at year-end 2019, with 2,013 licensees, the licensing specialist was required to hand-audit 671 licensees for CME compliance. That audit revealed a 98.8 percent compliance rate.

Assemblywoman Backus:

For that 0.2 percent noncompliance, could it be that they took a course that was not recognized? Or was it blatant, like a doctor completely misrepresenting his CMEs?

Susan Fisher:

A lot of the time, it is that they simply did not get all of their credits done, so the Board will send them a letter notifying them that they are not in compliance and look to see what classes they need to take. Sometimes, they may have simply forgotten to take it or they could not get the class done in time, so they have a short window to get that completed. If they do not complete it, then they will get their license suspended until it is completed.

Assemblyman Yeager:

In reading this bill, the language currently reads that sometimes they request verified evidence [section 1, subsection 3]. What does verified evidence look like? What does the applicant actually submit when they are audited?

Susan Fisher:

They submit the certificates they receive when they take the CME credits. I assume it would be the same with continuing legal education as well.

Assemblywoman Monroe-Moreno:

I am going to go back to the comments that were made by Assemblywoman Kasama. How difficult would it be to change the system to get everything at the onset when they apply for the license or apply for renewal of the license? Would that not make it a lot easier on the department as a whole? And do you think that would be a welcomed change?

Susan Fisher:

I think I would defer to Mr. DiMaggio on that. As far as I am aware, other than the real estate licensing, I do not know if the others require the actual certificates because they do self-attest. It is a lot more paperwork that has to be submitted. All of the boards have the audit requirement whether the paperwork is submitted or not, from what I understand. I would defer to legal counsel if I am misstating that.

Assemblywoman Kasama:

What is the number of continuing hours of education that are required annually?

Susan Fisher:

I will have to follow up with you on that as well.

Chair Marzola:

If you can, submit that to the committee secretary. Thank you. We will now hear testimony in support.

Dylan Keith, Assistant Director of Government Affairs, Vegas Chamber:

We are in support of this measure. We believe that self-regulation improves quality of care and gives them a reasonable expectation so they can thoroughly ensure in an efficient manner that these doctors have the correct licensing and hours per year. We would like to thank the bill sponsor for bringing this forward and thank you for your time. We urge your support.

Elliot Malin, representing Nevada Osteopathic Medical Association:

We are here in support. We think this will help streamline things, especially with a limited staff. We want to thank the bill sponsor for bringing this forward and ditto to everything else. Thank you.

Frank DiMaggio, Executive Director, State Board of Osteopathic Medicine:

I want to echo what Ms. Fisher has said about the reason for this change to the bill. In answer to some of the questions I heard, even if the physicians and physician assistants sent in the certificates, we would still have to randomly audit a certain number to make sure that all of the CMEs were met. For the osteopathic physicians, it is 35 hours per year. There are also certain statutorily mandated courses. We have one licensing assistant who does all of these audits by hand. The licensing assistant would have to look at each particular certificate and then determine whether it met the particular statutory requirement for one that was statutorily mandated. This bill would ease that process. Instead of one person hand-auditing approximately 800 or 900 licenses, the board would set that number to be somewhat in line with what the other regulatory boards have. If there are any other questions, I would be happy to answer.

Chair Marzola:

Is there anyone else wishing to speak in support? [There was no one.] Next, we will hear testimony in opposition to Assembly Bill 124. [There was none.] Is there anyone wishing to testify in the neutral position? [There was no one.] Assemblywoman Hardy, would you like to give some final remarks?

Assemblywoman Hardy:

Thank you, Chair, and thank you again for hearing this bill. We will be happy to answer any additional questions or provide any information as needed. Thank you.

Chair Marzola:

I will close the hearing on Assembly Bill 124. I will now open the hearing on Assembly Bill 163.

Assembly Bill 163: Revises provisions governing employment. (BDR 53-834)

Assemblywoman Cecelia González, Assembly District No. 16:

Sexual violence profoundly impacts a person's lifelong health, opportunity, and well-being. Sexual violence impacts every community and affects people of all genders, sexual orientations, and ages. It can affect many aspects of a survivor's life, from safety and health to family and work situations. The trauma resulting from sexual violence can impact a survivor's employment in terms of requesting time off from work, job loss, and being unable to work. This can have long-term effects on the economic well-being of survivors and their families. In 2017, the Legislature enacted legislation to require Nevada employers to provide leave to employees who are victims of domestic violence or whose families or household members are victims of domestic violence. Assembly Bill 163 would include such leave to employees who are victims of sexual assault or whose families or household members are victims of sexual assault. Assembly Bill 163 requires an employer to provide certain hours of leave to an employee who is a victim of sexual assault. Sexual assault is defined in *Nevada Revised Statutes* 200.366.

Section 1 of the bill authorizes an employee who has been employed by the employer for at least 90 days and is a victim of sexual assault, or whose family or household member is a victim of sexual assault, to use leave for certain purposes, such as for diagnoses, care, and treatment, to obtain counseling or assistance, to participate in any court proceedings, and to establish a safety plan for the employee, family, or household members. An employee is not entitled to leave where a family or household member is the victim and the employee is the alleged perpetrator. An eligible employee may take up to 160 hours of leave within 12 months immediately following the date on which the sexual assault occurred. Leave may be paid or unpaid and may be used consecutively or intermittently. Section 2 of the bill prohibits the administrator of the Employment Security Division of the Department of Employment, Training and Rehabilitation from denying a person unemployment compensation benefits if the administrator finds the person left employment to protect himself or herself or his or her family or household member from an act that constitutes as sexual violence.

Section 3 of the bill requires an employer to provide reasonable accommodations for an employee who is a victim of sexual assault, or whose family or household member is a victim of sexual assault. Section 4 of the bill prohibits an employer from conditioning the employment of the employee or prospective employee from taking certain employment actions because the person is a victim of sexual assault, a family member or household member is a victim of sexual assault, and other circumstances related to being a victim of sexual assault. This measure would become effective upon passage and approval for the purpose of adopting regulations and on January 1, 2024, for all other purposes. I will hand it over to Ms. Evans to finish the bill presentation. Thank you.

Serena Evans, representing Nevada Coalition to End Domestic and Sexual Violence:

First, I would like to express my gratitude to Assemblywoman González for working on this bill and advocating for victim-survivors statewide. Second, I want to thank this Committee

for allowing us to present this important legislation for your consideration. As Assemblywoman González mentioned, Assembly Bill 163 builds upon the employee protections established by Senate Bill 361 of the 79th Session. The original bill was and continues to be one of the most comprehensive sets of employee protections for victim-survivors during the passage of the original bill. It was not intentional to leave out victim-survivors of sexual assault; because this type of legislation was new, it was not thought of nationally at the time. One in six women and one in thirty-three men have experienced attempted or completed rape. While these numbers are harrowing, they do not include all other forms of sexual violence, which would likely produce a much higher statistic. Each victim-survivor's experience and reaction to sexual assault is personal and unique. Some may pursue criminal charges, while others seek healing and comfort through counseling, finding solace, and working with the victim advocate. There is no right way to respond to sexual assault, but one common truth is that healing takes time and resources. Many of these resources are only made available during traditional business hours. Victim-survivors of sexual assault are often pushed out of the workforce or penalized for needing to take time off from work following an assault.

To paint a picture of what the aftermath of an assault might look like, here is a scenario: A victim-survivor is assaulted by someone they know in their home. Following the immediate response to their attack, the victim-survivor obtains a protection order against their perpetrator and seeks criminal actions. This requires them to work with an advocate to submit a protection order application, meet with law enforcement for investigations, and potentially meet with the district attorney for investigations and court proceedings. Since the assault occurred in their home, they now have to work with an advocate to craft a thought-out safety plan, which may include moving. Additionally, the perpetrator did not use protection during the assault, and now that victim-survivor has to be checked routinely for sexually transmitted infections and HIV. This particular victim-survivor also notices their mental health is severely impacted, so they seek out a therapist to assist with their healing. This scenario is the reality that many individuals face. As you can see, it places quite a burden upon the victim-survivor and their families. The intent of this bill is to undo some of those burdens and barriers placed upon victim-survivors.

We routinely hear that individuals cannot take time off from work to deal with these appointments, and as such, forgo these critical services, or they are forced out of their place of work for taking too much time off. Victim-survivors should not have to suffer more than they already have. In addition to not further penalizing victim-survivors, the Centers for Disease Control and Prevention has found that access to economic support is one of the best ways to reduce revictimization. Maintaining employment is essential for victim-survivors to heal and live healthy and stable lives. Aside from taking time off from work, the bill also aims to provide reasonable accommodations for victim-survivors of sexual assault and access to unemployment insurance. More often than not, sexual assaults are committed by someone that the victim-survivor knows. This means that the perpetrator may know where that victim-survivor works, and employers must make reasonable accommodations for the safety of their employees. Unfortunately, sometimes perpetrators are relentless and victim-survivors may have to leave their job to protect themselves and their families. They

should not have to suffer economic loss and instability due to the actions of another. Therefore, allowing victim-survivors to qualify for unemployment insurance in these situations is a necessary safety tool.

We understand that employers may need help navigating these policies and conversations with their employees, so I want to draw attention to an excellent resource on this issue. Futures Without Violence offers numerous resources for employers, including sample model policies which are available free of charge online at their website. Additionally, the Nevada Coalition to End Domestic and Sexual Violence is here as a resource as well. Many of our systems place blame, shame, and guilt upon victim-survivors. By adopting these small yet impactful changes in statute, we have the opportunity to show that we believe victim-survivors, prioritize their well-being, and honor and respect their employment and financial self-sufficiency. While I love this great state, we do not often get to brag that we are leading the way on many things. By expanding these employee protections to include victim-survivors of sexual assault, Nevada will continue to lead the way in providing robust protections and support for victim-survivors. I am happy to answer any questions that this Committee may have. Thank you.

Assemblyman Yeager:

I noticed there was a provision in the bill that the Labor Commissioner has the ability to inspect documents [section 1, subsection 6]. Do we have any data regarding how often the existing law is used? It does not look like there is a data collection piece, which makes sense given the topics that we are talking about. In your experience, is this something that is used a lot? Is it a little bit? Is it somewhere in the middle? I am trying to get a sense of what we might see with the additional sexual assault language added.

Serena Evans:

I did reach out to the Labor Commissioner to see if they have data on this because the bill does state that they can collect it. I have not gotten a response yet, but if and when I do, I would be happy to follow up. Further, speaking with advocates across the state, I do not think there is an easy way to put a number to it, but I would say that it is probably not used as frequently as we think it is. I would say probably more so in the moderate area. I know a lot of times employees do not know that this exists. It does have to be posted on a bulletin in the workplace, but I think there are still a lot of victim-survivors that slip through the cracks and do not necessarily know about these protections.

Assemblywoman Hardy:

I, too, have worked with victims and have done some legislation to help victims, and as you said, every victim reacts differently. They have to first process what happened to them and then decide how they want to deal with that and overcome shame and all of those things. I appreciate that you are doing work on this. To clarify what is in the bill, the employee would have to be employed for at least 90 days. As you said, it would be not more than 160 hours of leave in a 12-month period, correct? That is not anything different than what it is already. In section 2, subsection 2 it says, "The Administrator may request the person to

furnish evidence satisfactory to support the person's claim for benefits." What kind of evidence would you require? A police report? A court case?

Serena Evans:

It can be a police report; it can be an application for a protection order; it can be an affidavit either from a counselor, a medical professional, and/or a victim advocate that is working with the domestic or sexual violence survivor.

Chair Marzola:

Are there any additional questions? [There were none.] Thank you for your presentation. We will open testimony in support of Assembly Bill 163.

Amber Falgout, representing Battle Born Progress:

[Read from written testimony, [Exhibit D](#).] I am here to show our support for Assembly Bill 163. As a survivor of sexual assault, I know all too well how time-consuming doctors' appointments, court visits, and therapy appointments can be. This bill helps survivors make sure they will be able to address the trauma they have experienced without being in fear of losing their employment. Survivors should not have to be concerned about whether they will lose their jobs or whether there will be retribution from their employers for taking time to see doctors or therapists or attend court hearings related to the incidents they have experienced. Thank you, Assemblywoman González, for leading this bill and standing up for all survivors of sexual trauma. We urge the Committee to pass A.B. 163. Thank you for your time.

Tessyn Opferman, representing Nevada Women's Lobby:

We are in full support of A.B. 163. Serena Evans went into detail about the many roadblocks that victim-survivors face. Some of those roadblocks include the need to access services that are only available during standard working hours, high medical costs, time-consuming doctors' appointments, and lack of mental health care support. We support this bill because we feel that this is a straightforward measure to remove one additional burden, requiring employers to give that time off to their employees so that they can access those necessary appointments. We want to thank Assemblywoman González for bringing forward this legislation and thank the Committee for hearing this today.

Briana Escamilla, Director of Regional Organizing, Planned Parenthood:

We support A.B. 163 because we believe that these protections and accommodations are essential in ensuring the safety and well-being of survivors of sexual violence. This legislation will allow survivors to maintain employment and/or financial security following their assault, which is critical to their ability to move forward. Planned Parenthood Votes Nevada will always stand with survivors and support their needs. We hope you do the same by supporting A.B. 163. Thank you for your time.

Greg Esposito, representing Nevada State Pipe Trades:

The workers that we represent support the addition of this commonsense language to this bill. Thank you.

Sara Evans, Director of Fundraising, Nevada Chapter, National Organization for Women:

I am here in support of A.B. 163 as this bill extends employee protections to victim-survivors and employee family members, which includes guardians, so people who have children that have been assaulted can also apply for these protections. During my daytime job, I work at the Division of Child and Family Services, and I see the direct impact that trauma has on families. Having this additional protection is a strong statement that victim-survivors matter, that we as Nevadans care about them, and that they will have a safe space to heal. Thank you for supporting A.B. 163 to help build stronger communities.

J.P. Kemp, representing Nevada Justice Association:

We are in full support of A.B. 163 and echo the reasons given by Ms. Evans and the others providing testimony in support of this very good bill. Thank you.

Erin Rook, Private Citizen, Las Vegas, Nevada:

I am here to testify in support of A.B. 163. As a survivor and advocate, I urge you to support this bill because it would ensure that all victim-survivors of intimate violence are able to access reasonable accommodations in the workplace, including time and resources to support their healing and safety. Extending these protections to victim-survivors of sexual assault not only provides a direct benefit to impacted employees, but also benefits employers and communities. As someone who has experienced domestic and sexual violence while a member of the workforce, I know how challenging it can be to work while trying to survive and heal from violence and abuse. I also know what a difference it makes to have the support of your employer while dealing with intimate violence.

In my early twenties, I was in a relationship that became emotionally, physically, and sexually abusive. Living through that cycle of violence took a toll on every aspect of my life, including my work. My former partner liked to start fights when I was trying to leave for work, exerting control by making me late. I also remember going to work one morning particularly exhausted after fending off an attempted sexual assault the night before. While work was the last place I needed to be, I could not imagine telling my boss I needed to take the day off to recover from my partner's violence. Instead, when he called during work training and threatened to harm my pets if I did not come home immediately, I made up a story on the spot to get out of work. Even after I left that relationship, the abuse followed me. Fortunately, by that point, I had an employer who was open and understanding. When I shared what I was going through, my boss expressed empathy and connected me to resources to support my healing. The state has already recognized that these protections ought to be extended to victim-survivors of domestic violence. Extending these protections for victim-survivors of sexual assault is a logical and necessary next step to ensure that victim-survivors of all forms of intimate violence are protected.

Stanley Thorns, Private Citizen, Las Vegas, Nevada:

I am in favor of A.B. 163. I am an injured worker. I was injured on the job in 1993 and have been fighting workers' comp ever since. I am still fighting workers' comp for treatment and

benefits, and I never experienced anything like this. I was rear-ended twice on the freeway in a company car. I have been denied treatment and benefits. I support A.B. 163 because I believe any injured person, or anybody who gets hurt on the job, deserves treatment and a better life. My life has come to a stop because I have been mistreated by workers' comp, and I wish the legislators will investigate the workers' comp system because back in the day, workers' comp also did a lot of people wrong in Las Vegas. I ask the legislators to please investigate workers' comp because the part-owner of workers' comp is also the lawyer that is part owner of the insurance company. That is double-dipping. I support A.B. 163, and I hope you look into this.

Jim Hoffman, Board Member, Nevada Attorneys for Criminal Justice:

We support A.B. 163. We believe that there is an issue with the criminal justice system where it is too reactive. We put a lot of energy and effort into punishing perpetrators after the crime has already happened, after the harm has already been done to the survivor. We believe that the system needs to put greater emphasis on doing the work to help survivors heal from the hurts they have been caused. Assembly Bill 163 is a great bill because it is doing that work. It is providing a space for people to heal, and Nevada Attorneys for Criminal Justice strongly supports this bill. Thank you.

[[Exhibit E](#) was submitted in support of Assembly Bill 163.]

Chair Marzola:

Is there anyone else wishing to testify in support? [There was no one.] We will move to testimony in opposition to Assembly Bill 163. [There was none.] Is there anyone wishing to testify in the neutral position to Assembly Bill 163? [There was no one.] Assemblywoman González, would you like to say any final words?

Assemblywoman González:

I want to thank Chair Marzola and the Committee members for allowing me to present Assembly Bill 163. We urge your support. Thank you.

Serena Evans:

I will say ditto and thank you all very much.

Chair Marzola:

Thank you for presenting today. I will close the hearing on Assembly Bill 163. I will now open up for public comment. [There was none.] This meeting is adjourned [at 2:31 p.m.].

RESPECTFULLY SUBMITTED:

Elizabeth Lepe
Committee Secretary

APPROVED BY:

Assemblywoman Elaine Marzola, Chair

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

[Exhibit B](#) is the Attendance Roster.

[Exhibit C](#) is written testimony presented by Mary Pierczynski, representing State of Nevada Association of Providers, in support of Assembly Bill 78.

[Exhibit D](#) is written testimony presented by Amber Falgout, representing Battle Born Progress, in support of Assembly Bill 163.

[Exhibit E](#) is a letter dated February 20, 2023, submitted by Christine Saunders, Policy Director, Progressive Leadership Alliance of Nevada, in support of Assembly Bill 163.