

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON HEALTH AND HUMAN SERVICES**

**Eighty-Second Session
May 10, 2023**

The Committee on Health and Human Services was called to order by Chair Sarah Peters at 1:36 p.m. on Wednesday, May 10, 2023, in Room 3138 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 Sarah Peters, Chair
Assemblyman David Orentlicher, Vice Chair
Assemblywoman Cecelia González
Assemblywoman Michelle Gorelow
Assemblyman Ken Gray
Assemblyman Gregory T. Hafen II
Assemblyman Brian Hibbetts
Assemblyman Gregory Koenig
Assemblywoman Sabra Newby
Assemblyman Duy Nguyen
Assemblywoman Angie Taylor
Assemblywoman Clara Thomas

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

Senator Melanie Scheible, Senate District No. 9



STAFF MEMBERS PRESENT:

Patrick Ashton, Committee Policy Analyst
Eric Robbins, Committee Counsel
David Nauss, Committee Counsel
Terry Horgan, Committee Secretary
Ashley Torres, Committee Assistant

OTHERS PRESENT:

Annette Magnus, Executive Director, Battle Born Progress
Elyse Monroy-Marsala, representing Nevada Public Health Association
Bryan Wachter, Senior Vice President, Retail Association of Nevada
Charcris Chotisin, Legislative Assistant, One APIA Nevada
Erik Jimenez, Chief Policy Deputy, Office of the State Treasurer
Dora Martinez, representing Nevada Disability Advocacy Coalition and Law Center
Santa Perez, Member, Nevada Governor's Council on Developmental Disabilities
Catherine Nielsen, Executive Director, Nevada Governor's Council on
Developmental Disabilities
Kierra Capurro, representing Nevada Blind Children's Foundation
Jesse Wadhams, representing 988 Awareness Project
Jonathan Norman, Statewide Advocacy, Outreach and Policy Director, Nevada
Coalition of Legal Service Providers
Marlene Lockard, representing Service Employees International Union 1107
Steven Cohen, Private Citizen, Las Vegas, Nevada
Will Pregman, representing Battle Born Progress
Zach Bucher, Government Affairs Officer, Government and Community Affairs, City
of Las Vegas
Mendy T. Elliott, representing Nevada Housing Coalition
Noé Orosco, Program Manager, Silver State Voices

Chair Peters:

[Roll was taken. Committee rules and protocol were reviewed.] Welcome to the Assembly Committee on Health and Human Services. We have three bills on the agenda today. They are all Senator Scheible's bills, and we are going to take them in order starting with Senate Bill 161 (1st Reprint). We will open the hearing on Senate Bill 161 (1st Reprint) which provides for the use of certain federal benefits to purchase menstrual products.

Senate Bill 161 (1st Reprint): Provides for the use of certain federal benefits to purchase menstrual products. (BDR 38-811)

Senator Melanie Scheible, Senate District No. 9:

I am delighted to be in front of you today presenting these bills. We will start with Senate Bill 161 (1st Reprint) which, as the Chair mentioned, expands the uses for which certain federal benefits can be used. Senate Bill 161 (1st Reprint) refers specifically to the

Supplemental Nutrition Assistance Program (SNAP) and Women, Infants and Children (WIC) Program which currently can only be used for food items. The way SNAP and WIC funding works, it is all federal dollars. Those dollars come from the federal government to the state, and the state administers the SNAP and WIC programs. People who qualify for SNAP or WIC benefits apply through the state office. The state office determines their eligibility and determines what kinds of benefits they will receive. Those are what we normally see on EBT or electronic benefit transfer cards. They are like debit cards. The SNAP or WIC program will load a certain dollar amount onto the card, but the dollar amount is able to purchase particular items which do not include pads, tampons, menstrual cups, or any other period products. The purpose of S.B. 161 (R1) is to require the state agency that administers our SNAP and WIC funds to apply for a federal waiver in order to allow recipients of SNAP and WIC here in Nevada to utilize those funds for period products in addition to whatever else they are entitled to.

The purpose is not to create a new project or for the State to fund this, but simply allow people who are already receiving these benefits to make their own choices about how their money is best spent. Some of you also heard Senate Joint Resolution 5 in the Assembly Legislative Operations and Elections Committee, which is a companion piece to S.B. 161 (R1). Senate Bill 161 (1st Reprint) and S.J.R. 5 work together. Where S.B. 161 (R1) says if the federal government will allow us to do this, the state of Nevada will participate; S.J.R. 5 says that we are going to ask the federal government to do this because they do not currently allow for the use of SNAP or WIC funds for menstrual products. It is a project I plan to take on in the interim to try to expand those benefits at the federal level. With the passage of S.B. 161 (R1), we will already have the framework in place for Nevadans to be able to utilize their SNAP and WIC funds to buy pads, tampons, menstrual cups, and similar hygiene products. With that, I will walk through the bill. It is one section and says what I just said. I am happy to take any questions.

Chair Peters:

Thank you. I am going to start with Assemblyman Gray. Please go ahead.

Assemblyman Gray:

Thank you, Madam Chair. Do we have a waiver to use these benefits for, say, diapers at this point? Things that are directly tied to the child.

Senator Scheible:

On the WIC Program, there is a public-private partnership with a nonprofit that does provide diapers at reduced cost or free to people who are receiving WIC benefits, but currently, there is not a voucher system in place for either diapers or menstrual products to allow people to utilize their federal benefits to purchase those items.

Assemblyman Gray:

That public-private partnership, is it statewide or restricted to one locale?

Senator Scheible:

I am aware of a public-private partnership in southern Nevada. There is a similar one in northern Nevada, but I do not want to speak for a nonprofit I do not run.

Chair Peters:

Thank you for the question. We talked about this last session, and the entities that participate in the public-private partnership commented on their programs and how they are utilized, so if you are interested, you can go back into the minutes from last session and look them up or ask staff to help follow up with that.

Assemblywoman Newby:

Thank you, Senator, for this bill. I was lucky enough to see the companion bill in Legislative Operations, and I am supportive of it. Sometimes these SNAP and WIC benefits are minuscule. If and when the federal government expands the use of them to menstrual products, would they simultaneously increase the amount each person or family gets? As you know, these products are pretty expensive, and I would hate to see them battling it out with food.

Senator Scheible:

I would hope so. I would hope it would include an expansion. Either way, part of the purpose for bringing S.B. 161 (R1) is to empower people who receive benefits to use the money the way they see fit, especially in a community like ours where we have fantastic nonprofit organizations that help supplement some of the federal dollars we receive. You might have somebody in a position where they have another way to access food, but maybe no way to access menstrual products. For that person, even if their benefits do not increase, it might be in their best interest to continue receiving food from another source and be able to shift their SNAP funds from food to menstrual products.

Assemblywoman Taylor:

Thank you for bringing this bill. It is very important. I just want to clarify because I am not on the other committee. You said S.J.R. 5 says Nevada will ask the federal government for this waiver.

Senator Scheible:

We are going to be asking the federal government to create a waiver. Illinois passed a similar bill about two years ago, and they have been unable to implement it because when they applied for a waiver with the federal government, they were denied. As it turns out, you cannot just apply for a waiver for anything at the federal government. They have to have a designated waiver program to apply for, so the companion resolution is asking them to create that waiver program.

Assemblywoman Taylor:

So, the waiver says we will create the program and then apply for the waiver. This allows usage once we get the waiver.

Senator Scheible:

You said that right. To clarify, at the federal level right now there is no waiver, so we are asking the feds to create a waiver, and then we are going to apply for the waiver.

Assemblywoman Taylor:

We are going to create a program first, and then ask the feds.

Senator Scheible:

If there is no federal waiver, then S.B. 161 (R1) would be latent unless and until there is, because the State does not have the funds to create its own separate program. Hopefully, though, we will get the federal waiver.

Assemblywoman Taylor:

And we will be ready for it.

Senator Scheible:

Exactly. As my colleague, Senator Spearman, says, if you stay ready, you do not have to get ready.

Assemblywoman Taylor:

You do not have to get ready. That is right. Thank you so much, Senator. Thank you, Chair.

Chair Peters:

Thank you for the questions. I love that this is novel and really thinking broadly about family health and the fundamental needs of families. I have a couple of questions, and other Committee members, please let me know if you have questions as well. In the interpretation, could this be used for reusable hygiene products such as period underwear or the menstrual cup?

Senator Scheible:

Yes, absolutely they could.

Chair Peters:

That sounds like a cost-savings to me for folks being able to afford that piece. And then my other question was related to what you were just talking about. If the State could find funding to stand this program up, or could obtain a private grant or other gift to stand this program up, would this legislation enable us to add that to SNAP or WIC program-related benefits?

Senator Scheible:

Yes. In fact, in working on this bill, I had an opportunity to speak with our WIC and SNAP coordinators in Nevada who are neutral—because they are a government agency—and also supportive of helping people on WIC and SNAP. We also discussed some other options to look at in the interim like a public-private partnership, being able to include vouchers for free or reduced-cost period products with the EBT card even if we cannot put money on the EBT

card because it is not federally funded. Maybe we could find some other ways around that to create a more centralized one-stop shop for people to receive their federal benefits as well as increased access to period products.

Chair Peters:

I also see the Retail Association of Nevada (RAN) in the room, and I am sure there are potential opportunities to work with our retail partners on some kind of coupon benefit or something else that could be added for those folks who are eligible for WIC or SNAP benefits. We have another question from Assemblywoman Thomas.

Assemblywoman Thomas:

Good afternoon, and thank you, Senator, for bringing this bill forward. I see that this bill has to do with SNAP, but I was wondering if it can be expanded to women in prison. To me, period underwear would satisfy a lot of things they are going through, so I was wondering if this is inclusive.

Senator Scheible:

I appreciate your question because we face period poverty in a variety of different areas including among people who are incarcerated. One of your colleagues has a bill I signed on to try to bring dignity to incarcerated people who menstruate. This bill is limited to the WIC and SNAP Programs, but I am certainly supportive of other measures to get more period products to more people who need them.

Chair Peters:

Last session, we addressed period products in our schools and ensured that our students have equitable access to menstrual products in school-based locations.

Senator Scheible:

We passed an amazing bill last session to require all schools to provide free period products in the restrooms. I have heard from some high school and middle school students that it is not happening in every school. I encourage you, if you have kids at the middle- or high-school level, to ask them if their schools are following the law, and if they are not, make a call to the principal.

Chair Peters:

Thank you for that public service announcement. Are there other questions on the bill before we move on to testimony? Seeing none, thank you so much, Senator. We will start with support testimony in our physical locations here in Carson City and in Las Vegas.

Annette Magnus, Executive Director, Battle Born Progress:

Good afternoon, Chair, and members of the Committee. We are here in support of S.B. 161 (R1) which would allow federal SNAP and WIC benefits to be used to purchase menstrual products. This is a simple bill that would go a long way to ensure that all Nevadans who experience menstruation and who may be collecting federal benefits through these programs will be able to access essential health care products if they need them. We thank the

sponsors of this bill for introducing this measure to help lessen the "pink tax" those who need these products are forced to pay, which is unfair and discriminatory. We urge your support. Thank you.

Elyse Monroy-Marsala, representing Nevada Public Health Association:

I am here today on behalf of our client, the Nevada Public Health Association. We would like to thank Senator Scheible for bringing this bill forward, as it will increase equity of access for needed sanitary items. If I could just take a second to take off my Belz and Case hat and put on my Elyse Monroy-Marsala hat, I would like to tell you that I help run a food pantry in Sparks called The Community Food Pantry. This last year we fed about 45,000 people. One of the things we noticed when we started the pantry about 12 years ago was people came in asking for toilet paper, pads, tampons, diapers, and things like that. Now, those are things we fundraise for as part of our pantry, and we are able to donate or hand them out. I just wanted to verify—not that it needed any verification—that these are decisions people are making. As inflation goes up and as housing costs go up, the budget that is cut is the food budget and all those other things you buy—cleaning things and things to keep your body and yourself clean. So, The Community Food Pantry is working to fundraise to help people who come to us but increasing these types of benefits to allow SNAP and WIC to purchase those things is good, and we support the bill.

Bryan Wachter, Senior Vice President, Retail Association of Nevada:

Good afternoon, Madam Chair. We, too, want to thank Senator Scheible. Due to a weird set of circumstances, the Retail Association of Nevada has been unable to be at the table on this bill, but we want to make sure you know we are in favor. I could not say anything better than my two colleagues said other than we are prepared, and the supply chain can answer this. We look forward to the Senator's fight in Washington and being able to then implement this in Nevada. Thank you.

Chair Peters:

I bet RAN is going to be a part of that fight. Thank you. Seeing no one else come up to the table here in Carson City and no one at the table in Las Vegas, would you check the public line for support testimony on S.B. 161 (R1).

Charcris Chotisin, Legislative Assistant, One APIA Nevada:

Thank you, Chair Peters, and members of the Committee. I am a legislative assistant with One APIA Nevada advocating for the fast-growing Asian American Pacific Islander population here in the great state of Nevada. I am here to show our support for S.B. 161 (R1), and we just want to say, ditto and echo a lot of the support comments from our colleagues. Another thing I wanted to mention is that our sister organization, the Asian Community Development Council, works with a lot of SNAP clients. This would increase applications for SNAP and increase access overall to essentials every Nevadan needs. Thank you so much.

Chair Peters:

May we have the next caller, please? [There was no one.] We will move to opposition testimony. Is there anyone in Carson City or Las Vegas who would like to provide opposition testimony on S.B. 161 (R1)? Seeing no one coming to the desk in Carson City or Las Vegas, we will move to the phones. Is there anyone on the phone for opposition testimony on S.B. 161 (R1)? [There was no one.] We will move on to neutral testimony. Is there anyone in Carson City or Las Vegas who would like to provide neutral testimony? Seeing no one, would you please check the phone line for neutral testimony on S.B. 161 (R1). [There was no one.] Thank you so much. I would invite the sponsor to the table for closing remarks if you have any. [Senator Scheible waived closing remarks.] All right, thank you so much. I have a couple of ideas on adding some language to make sure the State could implement this program if the federal government does not, and we end up with some money. I will talk to you offline about that.

We will close the hearing on Senate Bill 161 (1st Reprint) and move on to our next bill, Senate Bill 315 (1st Reprint) which makes revisions relating to the rights of persons with disabilities and persons who are aged. Thank you for being here. You may begin when you are ready.

Senate Bill 315 (1st Reprint): Makes revisions relating to the rights of persons with disabilities and persons who are aged. (BDR 38-808)

Senator Melanie Scheible, Senate District No. 9:

Thank you so much for having me in the Assembly Health and Human Services Committee. I am presenting Senate Bill 315 (1st Reprint) to you along with my colleagues Erik Jimenez and Dora Martinez. Senate Bill 315 (1st Reprint) has been a labor of love to create two important statutory protections for groups of people in Nevada. Section 1 of the bill pertains to people with disabilities and who are aged, and section 3 pertains to students who are what we call "in transition." These are students who are 14 years or older who are getting ready to leave the public school system and embark on their independent adult lives and are receiving transition services to become equipped to do that.

I want to go over some broad strokes about the bill and the reason for bringing the bill, and then I will let my colleagues follow up on some of the specifics and reasons for it. The first section could be called a bill of rights for people with disabilities. The purpose of S.B. 315 (R1) is to ensure people who are already receiving services from the government pertaining to their age or their disability are able to have a say in how, when, and where they receive those benefits. Senate Bill 315 (1st Reprint) has been very carefully crafted along with the administrative departments that would have to implement the bill and with our Legal Counsel to ensure we are not providing anybody with additional rights to services. The bill says that for people who are receiving these services, service providers have to include them in the conversations. A person receiving services related to their disability has to have a say in where they receive those services, what kinds of services they receive, and when they receive them. They have to be active participants in planning their own lives.

It also ensures they are treated with dignity and respect in whatever location they may be, and in whatever context they might encounter someone who is providing services or working on case management or planning for them. Section 1 of the bill is modeled after *Nevada Revised Statutes* (NRS) 159.328—the protected person's bill of rights. As much as practicable, this language mirrors the language there regarding treating people with respect and dignity, providing them with autonomy, and allowing them to make decisions as much as possible. Of course, where there are some differences, you will see some differences in the language of S.B. 315 (R1). The purpose here is not to come at this with a hammer or a stick, but to come at it with a carrot and to say that if you are a person who provides services to those with disabilities or those who are aged, here are guidelines for the way you are supposed to provide them. Here is a person-centered approach to ensuring we provide adequate services to people who are entitled to them. I will leave it to my colleagues to explain more in-depth the purpose of making this shift in focus and why it is important to have this spelled out in law.

I will move briefly to section 3. Section 3, as I mentioned in my opening remarks, is a bill of rights for students in transition, for students who already have an individualized education program (IEP), when they are getting ready to graduate from school and hope to go on to college or get a job or vocational training, or whatever that might be. Again, it is imperative they are involved in those decisions and the adults around them are not making decisions without taking into consideration what those students actually want, need, desire, and are capable of doing. Section 3 is aimed at ensuring that for students, we take a person-centered approach that focuses on the needs of the person who is receiving services and their desires and makes them active participants in planning for their future. There is also an amendment to the bill you will see on the Nevada Electronic Legislative Information System (NELIS), and that amendment is straightforward [[Exhibit C](#)]. The purpose of the amendment is to allow or require school IDs to include a phone number for students in crisis to call. That phone number is 988 as opposed to what is currently in law which just says to call a local crisis center or crisis hotline.

We have heard that this may not be germane to this bill, so in this hearing, I am going to try to explain why it is germane because it is germane to the bill. It is not a secret that I was approached after the Senate hearing on the bill with the suggestion to add this, and I was more than willing to do it because I think it is incredibly important that all students, whether they are receiving services or whether they have an IEP, be provided with accurate, good information that can help prevent suicide, particularly, but any kind of mental health crisis. We as a community are moving toward utilizing 988 and making it as ubiquitous as 911 so everybody knows where to call when someone is in a mental health emergency. There is nobody who needs it more than our students. With that, I will turn it over to my copresenters.

Erik Jimenez, Chief Policy Deputy, Office of the State Treasurer:

I am so incredibly proud to be here today. There are two amendments we are contemplating. One is a proposed amendment from me that is on NELIS [[Exhibit C](#)] that is the result of stakeholder conversations we had with the Nevada Governor's Council on Developmental

Disabilities and the Statewide Independent Living Council. We have a second amendment that is being contemplated, but is not on NELIS yet; however, it is recommended.

This bill has been a long time coming. For those of you who know me, I started in this building in 2013, and have been advocating for people with disabilities in the Legislature, and we have made some tremendous strides. For too long, but not intentionally, people with disabilities have largely been left out of the legislative process. Sometimes it is hard to organize. You cannot hire a lobbyist. There are some powerful interests at play in disability services, and sometimes there are big money operations behind those as well. This bill is a product of conversations I had with the late Regent Sam Lieberman, who was a friend and mentor of mine and is sadly no longer with us, and a promise I made that we would do everything we can to increase the way we think about providing services for people under the home and community-based services waiver and how we could start to change the conversation for our students so they can understand that, just because they have a disability did not mean they have to settle for less or settle for substandard options. Where we get in this bill is a huge step forward. It is probably one of the most important pieces of legislation I have worked on in my ten years in this building.

To walk through the individual sections, section 1 is incredibly important because we have a Supreme Court decision that was decided in 1999 called *Olmstead v. L. C.*, which said that under the Americans with Disabilities Act (ADA), states and the federal government, when providing services to people with disabilities, had to do so in the least restrictive environment. As we have moved from the 1990s to now, we are starting to change the way we think about how we provide services. Before, someone with a disability would have to work in a sheltered workshop and get jobs and vocational training in very segregated settings. Now, we are seeing new opportunities for people with disabilities to work remotely, to participate in business and commerce, and go to school in different ways that were thought unimaginable before. Section 1 says, if you are receiving services on the home and community-based services waiver, as part of those services we will provide services in a manner that puts the person first. Someone would have the right, if they wanted, to voice grievances and to have relationships with whomever they choose.

Section 3 in this bill tries to solve a problem we are seeing with students' voices in the process of their IEPs. Under the Individuals with Disabilities Education Act, or IDEA, many of the rights afforded to students are covered by the parents because the student is a minor, so if a grievance arose, the parents would need to engage in that IEP process. In conversations we had with the Office of Inclusive Education within the Department of Education, they have been striving to help students get more ownership in their education, help them actively participate in IEP meetings. For instance, if they want to select different members of their IEP team, if it is not working for them, how can we do that? We do not have the tools available for us today, so this is trying to solve that issue to give students a little bit more empowerment and understanding that they do not have to settle for less.

And then, we see kids with disabilities. About a month ago, we had some students visit us in the State Treasurer's Office. And we have kids today who are just being failed in our school

system. We pass laws and we have dedicated teachers who want to deliver services for these kids, but they feel it is not reaching them. You know, we can pass as many laws as we want, but sometimes it just does not filter down. We have kids today in our school system who are thinking about killing themselves because they cannot get the right services to try to make something they want to see in their life. This bill goes a huge way in saying, we agree from Carson City; we think you should have ownership in that education, and we are committed to making sure you have that ownership and persons that are planning throughout the process, which is why you see the changes in section 1. So, with that, I do not want to talk anymore, but Ms. Martinez has some thoughts and opinions.

Chair Peters:

Ms. Martinez, thank you so much for being here.

Dora Martinez, representing Nevada Disability Advocacy Coalition and Law Center:

Good afternoon, Chair and Committee. Thank you, Senator Scheible, and my hero, Erik Jimenez. I represent the Nevada Disability Peer Action Coalition. As you can see, I have no paper in front of me, and my dog ate my homework. Mr. Erik Jimenez was correct on what they are saying. I am a blind mom and none of my kids are disabled. Sometimes I feel that is unfortunate because they make faces at me, and I cannot tell.

It is true. Sometimes we—students and people with disabilities—have been left out of the communication in all this time, but we are here to speak for the students because they are our future, and they need to feel included and at the table and talk about their education because they are going to be leading this country. It is imperative that you all support this bill. It is inclusive in diversity and has equity and accessibility for all. It is like what we always say in the disability community: Nothing about us without us. Accessibility for me does not mean it is going to be accessible for Santa Perez or someone who is hard of hearing. We have different specialized needs, and in order for those needs to be met, we need to be at the table. We do not want someone who is non-disabled, and I do not mean that in a disrespectful way; that is how it is—tell us what they think is good for us—and this goes out to vocational rehabilitation. I am dealing with them, and they need to know. I am blind, and I know what is best for me. Nobody else does. I am going to stop and thank you so much.

Chair Peters:

Thank you for your comments. Do we have other folks who are presenting?

Santa Perez, Member, Nevada Governor's Council on Developmental Disabilities:

Chair and Committee members, thank you for letting me speak to you today. I am a member of the Nevada Governor's Council on Developmental Disabilities. I would like to encourage you to approve S.B. 315 (R1). The ADA gave the disability community a great springboard to ensure our rights as American citizens, but we need more. As a person with a significant disability, I need my Medicaid waiver to survive, but that does not mean I have to give up my human rights. I like having choices regarding my life. They may be right, or they may be wrong, but it is my life. When people receive waivers through Medicaid, there is so much that is out of our control. The bill of rights for people with disabilities will ensure that we

have a say in navigating our lives. We want the same things as everyone else. We want the right to choose the way we live, love, play, and work in our communities. We want our students to be informed about the services that are in their communities so when they are adults, they can be informed citizens and contribute to their society. We want the best for our kids, but they need to know every available option. I hope you consider your support on S.B. 315 (R1). Thank you.

Chair Peters:

Thank you, Ms. Perez, for your testimony and support today on the bill.

If we do not have anything else, we can move into questions. I have a few questions from folks. We are going to start with Assemblyman Nguyen.

Assemblyman Nguyen:

Thank you, Madam Chair. This bill resonates with me in so many different ways, so thank you, Senator Scheible for bringing it. As I was listening to you and Mr. Jimenez, as well as Ms. Martinez and Ms. Perez, I went back down memory lane a little bit. I know this is different from the struggle the disability community faces every day, but I remember as an immigrant coming to this country at the age of 11. At that time, the school I attended in fifth grade did not have English language learning programs. As an immigrant coming to this country with zero English, I had to figure it out. Just figure it out—sink or swim, right? That was a struggle. The first year in the United States was one of the quietest years of my life because I could not speak or be heard because I did not know how to navigate that. Even though it is a small part compared to the experiences the disability community goes through, I just want you to know this hit me harder than I thought it would. With that, I want to thank Ms. Martinez for reminding me of this and a couple of other bills we heard a few weeks ago, and the importance of language access in this movement trying to make sure our disability communities are not left behind.

In terms of Nevadans experiencing access issues to some of these things we are trying to change and make better, where would they be in this part? There was a mention of American Sign Language in other parts in this bill, but I want to make sure we include the language access piece for the disabled in communities that speak a language other than English. Where can they find their places at the table so they can be a part of our society in a meaningful way as well?

Senator Scheible:

I forgot to talk to Mr. Jimenez before the hearing about a possible amendment on language access because I do agree. Those who are receiving services on a Medicaid waiver should be able to communicate in a language they understand, be it sign language, be it Japanese, or be it some other language. I think it is broadly encompassed in the bill because it includes communication with people in a meaningful manner in the way they see fit, but it does not specifically call out language access. It would be completely appropriate, although I will also say this: This language was negotiated with a lot of stakeholders, so I am taking that

privilege as an elected sponsor of the bill to say I am open to it. I am open, but there would have to be a discussion.

Erik Jimenez:

If I can just take a point of privilege, as well, I think we would be happy to incorporate any amendments on language access. This is a tremendous opportunity to talk about language access and the disability community because it is different. You know, you have American Sign Language, you have braille. If a kid has a disability and they need some sort of language access, that would be covered within their individualized education plan, but any way we can strengthen those services is really important. I was one of the first people to get braille on my business cards. We have some bigger strides to make as a state government with how we can also do language access, but we would be happy to work with you, Assemblyman Nguyen.

Assemblyman Nguyen:

Thank you, Senator, for that intent, and thank you, Mr. Jimenez. I want to again applaud all the work you have been doing. As an immigrant in this building, one of the few, I appreciate your work, and please look to me for any support I can provide. Thank you, Chair.

Chair Peters:

Thank you for sharing your story, Assemblyman Nguyen, as well. Look at you now. Okay, I have a couple more questions on my sheet. Please let me know if you have other questions, folks.

Assemblyman Gray:

Thank you, Madam Chair. I may be way off base on this, but I am going to assume maybe sometimes people with intellectual disabilities as they become 18 will still have a guardianship in place with somebody to help them with decisions. What will happen under the bill of rights portion if there is a disagreement between the guardian and the individual?

Erik Jimenez:

There are different types of guardianships, and there are a lot of people in the room who are smarter than me on this. Sometimes guardianships are over the person, sometimes they are over the estate, and sometimes they are over both. Typically, when someone is receiving services for that guardianship—which is directed by a court—would be the law of the land. With that being said, even if someone is under the care of a guardian, we see a lot of people who were placed under guardianship in the late 1980s and 1990s who, arguably, today would not have been placed under one because of the different rules and restrictions we have now. Trying to meet the person halfway makes sense except when it is something having to do with the health and safety of the person; that is why we have guardianships in place.

Assemblyman Hibbetts:

I am looking through the bill, and I am working off the first reprint and coordinating it with Mr. Jimenez's proposed amendment. There is nothing I disagree with, although I have a question. If you look at section 1, subsection 2, paragraph (b) and section 3, subsection 2,

paragraph (c), both of them refer to being "treated with respect and dignity." We can all agree that everybody should be treated with respect and dignity, but my question is, how do we legislate that? For example, if I am walking down the hallway and I see Mr. Jimenez and I say, "Hi, Erik," is referring to him by his first name disrespectful? It may be to him but may not be to the person standing next to him. Do you get where I am going? I do not understand how we can legislate respect.

Senator Scheible:

This is one of those clauses that was taken directly from the bill of rights for protected persons. It is *Nevada Revised Statutes* 159.328, subsection 1, paragraph (k), that protected persons have the right to be treated with dignity and respect. The purpose of including that is to ensure if somebody is treated in the opposite manner, they have legislative protection to turn to. It is not a legislative protection in the way we think of where you can file a lawsuit or arrest somebody. It just says if somebody feels they are being disrespected by their care team or by a particular provider, they have the right to be free from that disrespect. I am not saying it is not subjective, but we have subjective areas of the law throughout the *Nevada Revised Statutes*. If we can agree that people should be treated with dignity and respect, then I do not see why we cannot put it into law.

Erik Jimenez:

A quick follow-up, Assemblyman. This portion was taken from two bills. One was from Massachusetts, and one was from Ohio. They were modeled similarly after protected persons bills, but they both have a bill of rights for people with disabilities. That is where this "dignity and respect" language came from. The provisions in section 1, subsection 2, paragraph (s), the voicing of grievances feeds into paragraph (b). Let us say their caseworker is not treating them with dignity and respect, they could file a grievance with that. We hear you on not being able to legislate anything or everything but having some provisions concerning respect and dignity is amicable.

Assemblyman Hibbetts:

Thank you.

Chair Peters:

I think it would be interesting to go back and listen to the minutes on that particular statute when it was implemented to listen to the arguments made on that case. Are there other questions from the Committee before we move on? I had a quick question about the general definition of people with a disability. Do we have a definition of this? Is it anyone with an IEP? Where do we go to look for that?

Erik Jimenez:

This language in section 3 was crafted by the Office of Inclusive Education within the Department of Education. The intention here, and it is stated throughout the bill, is they have to be receiving transition services through an individualized education plan. We wanted to define the population of students. We recognize there are other groups of students. You have 504 plans [education plans developed under Section 504 of the Rehabilitation Act of

1973]; which I know Assemblywoman Taylor is probably familiar with a lot of the work on the restorative justice side. These protections would not apply to those students. We wanted to start here and understand that this could evolve over time, and if we needed to expand student populations, we could.

Chair Peters:

Thank you. I appreciate that response. Are there any other questions? [There were none.] All right, we will move into testimony. I will start with support testimony in our physical locations and then move to the phones.

Catherine Nielsen, Executive Director, Nevada Governor's Council on Developmental Disabilities:

Good afternoon, Chair Peters, and members of the Committee. We appreciate Mr. Jimenez's and Senator Scheible's amendment [[Exhibit C](#)] to include our Council and the Statewide Independent Living Council, as we are the entities federally identified to provide information and resources to this community. I want to remind you that people with disabilities are just that—people—and thus should be afforded the same rights, freedoms, and protections as anyone else. Disability rights are human rights. Everyone deserves to be included in all facets of community living. Human rights are the basic rights and freedoms that belong to every person in the world from birth until death, regardless of race, sex, nationality, ethnicity, language, religion, or any other status. Human rights include the right to life and liberty, freedom from slavery and torture, freedom of opinion and expression, the right to work, education, and many other things. Everyone is entitled to these rights without discrimination. They apply regardless of where you are from, what you believe in, or how you choose to live your life. These basic rights are based on shared values like dignity, fairness, equality, respect, and independence. These values are defined and protected by law.

The DD Act, or the Developmental Disabilities Assistance and Bill of Rights Act, states that disability is a natural part of the human experience that does not diminish the rights of individuals with developmental disabilities to live independently, to exert control and choice over their own lives, and to fully participate in and contribute to their communities through full integration and inclusion in the economic, political, social, cultural, and educational mainstreams of the United States society. People with even the most significant disabilities are capable of independence, self-determination, productivity, integration, and inclusion in all areas of community life. This bill of rights for people with intellectual, developmental, or physical disabilities cements the framework our forefathers put into place when they outlined basic human rights. I applaud Senator Scheible, Erik Jimenez, and the members of the public body for moving this piece of legislation, which is arguably the most important piece of legislation this session, forward. If you have any questions, you can contact our Council.

Dora Martinez:

I say ditto. Thank you.

Kierra Capurro, representing Nevada Blind Children's Foundation:

Good afternoon, Chair and Committee. I am here on behalf of the Nevada Blind Children's Foundation. We support S.B. 315 (R1) and believe this will improve the livelihoods, education, and services to disabled and blind Nevadans. Earlier this session, teenage students of the Nevada Blind Children's Foundation visited the Legislature. Hearing their stories illuminated the disparity of the blind citizens in this state. Nevada is one of seven states without a school for the blind, making Nevada one of the most underserved states in the entire country. Some blind children get placed in special education classes while the only disability they have is blindness or visual impairment. It can take years for these students to get out of these classes, limiting their educational growth and lowering their chances of being accepted to college—a statistic that is already too low for those who are blind. Luckily, the Nevada Blind Children's Foundation keeps students in their program until they are 22 years of age. The Foundation appreciates the section that allows outside agencies to participate in the development of IEPs as it would help the Foundation be more involved in students' educational paths. By supporting this bill, you help these individuals become more self-supporting and independent and save the State revenue in the long run. We would like to thank the bill's sponsor as well as Erik Jimenez.

Jesse Wadhams, representing 988 Awareness Project:

[Jesse Wadhams submitted additional information, [Exhibit D.](#)] Good afternoon, Chair Peters, and Committee. Today, I am representing the 988 Awareness Project. First, let me thank Senator Scheible and Erik Jimenez for his advocacy of this bill. We support the bill wholeheartedly. We did approach Senator Scheible and Mr. Jimenez with an idea [\[Exhibit E\]](#). The 988 Awareness Project is a group of high school students who have come up with an awareness outreach campaign for suicide—this 988-suicide prevention line. The linkage we came up with was this outreach particularly in section 2, subsection 3, paragraph (g) about common information; and section 2, subsection 3, paragraph (j) about receiving information common to all outreaches. Having the 988 number helps make people aware of that service. Again, we support this bill, and to the extent this amendment [\[Exhibit E\]](#) can be considered, we appreciate the Committee's consideration.

Chair Peters:

I appreciate that, and we can take the conversation offline. There may be a couple of other options that are workable if we cannot make it fit into this one.

Jonathan Norman, Statewide Advocate, Outreach and Policy Director, Nevada Coalition of Legal Services Providers:

Chair and members of the Committee, I am Jonathan Norman with the Nevada Coalition of Legal Service Providers. We represent adults who are protected persons or proposed protected persons. We also assist with less restrictive alternatives for those adults so they can maintain as much freedom as they are able to have. I also represented kids in foster care, and we have an education advocacy program. Already in law we have the foster care bill of rights. We have the protected persons bill of rights, and these are touchstones we can point to and that our clients can read about, that lets them know their voice is important. And when I read this bill, I think it reflects everything legal services attorneys around the state

fight for every day for their clients, so I am really proud to support this legislation and thank the sponsor and Mr. Jimenez.

Marlene Lockard, representing Service Employees International Union 1107:

Thank you, Madam Chair, and members of the Committee. All the wonderful and positive things that will occur because of this bill have been said. We also support the bill and urge your positive consideration.

Chair Peters:

Thank you. Seeing no one else come up to the table in Carson City and no one in Las Vegas, we will go to the phones. Is there anyone on the public line for support testimony on S.B. 315 (R1)?

Steven Cohen, Private Citizen, Las Vegas, Nevada:

Ditto, thank you, and I yield.

Will Pregman, representing Battle Born Progress:

Good afternoon, Chair, and members of the Committee. I am rising in strong support today of S.B. 315 (R1). Persons with intellectual, developmental, or physical disabilities who are receiving home or community care deserve to live with dignity and respect. We wanted to recognize that a large part of the inspiration for this bill was the titan of education advocacy, former Battle Born Progress board chair, Regent Sam Lieberman. Those who were privileged to know Sam understand that he faced unique challenges from his own struggle with a disability. Throughout his life, he blazed the trail for the rights of people with disabilities that inspired the legislation you see before you today. People with disabilities who receive care, among other items in this bill, should have the ability to manage their own finances, have their personal records handled with confidentiality, be treated as equal citizens, and have access to the education they wish to pursue. The rights of people with disabilities are fundamental, just like any other civil rights. We thank Senator Scheible for sponsoring this bill and Erik Jimenez for his work on this policy. We urge you to support S.B. 315 (R1) in the memory of Regent Sam Lieberman and for the people of Nevada. Thank you.

Chair Peters:

Thank you. Next caller, please. [There was no one.]

[[Exhibit F](#) in support of S.B. 315 (R1) was submitted but not discussed and will become part of the record.]

We will go into opposition testimony in our physical locations in Carson City and Las Vegas. I am seeing no one come up to the table, would you check the public line for opposition testimony on S.B. 315 (R1)? [There was no one.] We will move on to neutral testimony. Is there anyone in Carson City or Las Vegas who would like to provide neutral testimony on S.B. 315 (R1)? Seeing no one come up to the tables, would you check the public line for neutral testimony on S.B. 315 (R1)? [There was no one.] Thank you all for the presentation.

We will go ahead and close the hearing on Senate Bill 315 (1st Reprint) and move into the hearing for Senate Bill 317 (1st Reprint) which establishes provisions relating to resources for persons experiencing homelessness. Welcome again, Senator. Please go ahead when you are ready.

Senate Bill 317 (1st Reprint): Establishes provisions relating to resources for persons experiencing homelessness. (BDR 38-981)

Senator Melanie Scheible, Senate District No. 9:

Today, I am pleased to present to you Senate Bill 317 (1st Reprint). Senate Bill 317 (1st Reprint) is not a complicated bill. It fills a gap we currently have for people who are experiencing homelessness to have a permanent address. There is nothing in law that prevents a 501(c)(3) nonprofit organization from allowing a person experiencing homelessness to utilize that place as their home address. We currently have provisions in law that allow somebody who resides at a place that provides services such as a homeless shelter or temporary housing situation to utilize that address to vote. But there is still a gap, especially in the areas described in section 7, subsection 2. When people apply for public assistance, they have to fill out forms that indicate they swear, affirm, or take an oath under penalty of perjury, that everything they are including is accurate and truthful. With S.B. 317 (R1), we wanted to ensure when people are filling out these applications for public assistance and the other activities listed and they put a service provider's location as their permanent address, they are allowed to do that because it can be very difficult to acquire new housing, employment, or public assistance when you do not have a home address. What S.B. 317 (R1) does is spell out clearly in law that any 501(c)(3) organization that provides services to people experiencing homelessness can authorize those people receiving the services to utilize the organization's address as their permanent physical address. That is the purpose of S.B. 317 (R1), and I will hand it over to Mr. Jimenez for some additional information.

Erik Jimenez, Chief Policy Deputy, Office of the State Treasurer:

Senate Bill 317 (1st Reprint) is a product of the Nevada Recovers Listening Tour, which several of you participated in. You may recall under the last gubernatorial administration and under Treasurer Conine, when the State received \$6.7 billion from the American Rescue Plan, we undertook the largest public engagement tour in state history. Two billion, seven hundred million dollars of that you are familiar with through the IFC [Interim Finance Committee] process. The idea was to go to every community we could. There were 123 events over 87 days. It was a long tour, but we went to communities, we listened, and we said, what can we fund? What types of programs would you like to see? Also, do you have any good ideas where the government could step in and help? While this was not a funding request, it came directly from a constituent in Reno during some meetings we had with homeless service providers and the unhoused community. One constituent said, I am really struggling. I cannot get an address to apply for employment or to get social services. As we went through this process, we found out you can apply for a post office box, but it is a complicated process. You have to contact your local postmaster, and you can only do it at specific U.S. Postal Service locations. We decided to model this language after some similar policies that are coming out of the City of Los Angeles. How can we make it easier for an

unhoused population to use a temporary address for limited purposes to help get them out of potentially bad situations? So, that is the genesis of the bill. We are very thankful to the constituent, whom I will not embarrass in this hearing. But it just goes to show that all ideas are good ideas and maybe you will find yourself in front of the Legislature. So, thank you.

Chair Peters:

Is there anything else before we move into questions? Do we have questions today?

Assemblyman Nguyen:

Thank you, Madam Chair, and Senator. I am in the nonprofit space, and I want to make sure this is a great way to help those who are experiencing homelessness and having nonprofits be part of the solution. My question is more on the technicalities. For residency purposes, there are several categories I can think of such as tuition—you have to have a year established before you are considered a resident. For voting, it is 30 days, or for change of address or to run for office, et cetera, it is 30 days. This particular one is six months. I just wanted to figure out how we can establish or determine the six-month period and if the persons are able to prove that part because there was not going to be anything else they could base this time frame on. I want to get that clarified.

Erik Jimenez:

Thank you for the question, Assemblyman. We had a conversation about this on the Senate side, and I want to make one thing abundantly clear. We are not requiring people to have identification cards in this bill, although it is one option. We wanted to figure out a way to make sure we had Nevada residents applying for temporary addresses, understanding it is a balancing act. We did not want people coming over from California saying they were Nevada residents and using a homeless service provider to gain access. We felt six months was a nice easy number that could show someone was here. Functionally, I think that could happen one of two ways. We have seen attestation be a very useful tool when we have done aid programs through nonprofits. Most of the pandemic aid you saw out of the Treasurer's Office for rental assistance or small business assistance used attestation for determining whether people were located in Nevada and needed help during the COVID-19 pandemic. So, I think you would see something there. Second, if that person has a relationship with a homeless service provider, the provider could verify that. If six months is not the right number, we are amenable to that, but we wanted to figure out a number that made sense.

Assemblyman Nguyen:

Thank you for that. I want to make sure that we have to believe it for the citizen or the person using the service to be able to prove that, right? If the six months is in statute, I want to make sure that the organization complying with the law is able to have someone prove that part. Now, if six months is hard to prove, yes, I would agree with you that we need to look at something that would be easier for folks to be able to attest to the fact that they have been here for whatever time frame we agree to by the time this is done.

Erik Jimenez:

Just one final point, Assemblyman. You will see in section 8, this gives the Division of Welfare and Supportive Services the ability to adopt the regulations necessary. If it is the Committee's pleasure, we could clarify what that looks like, or as we work through the regulatory process figuring out what that residency requirement might need to look like, we would be happy to do that.

Assemblyman Nguyen:

Thank you. You just mentioned that to me in that part, and I did see an "or" in part of the bill, so that is a good way to also handle that. In terms of having the ability to use one or the other, I want to make sure we reduce the barrier for those folks who have to prove the other part, ensuring we can help them and not put more obstacles in front of them. So, thank you.

Chair Peters:

Thank you for the question. I wonder if there has been a discussion to this point of consideration for a discretionary term for the provider of homeless services to acknowledge that the person has the intent to reside for a period of time in Nevada. If the person is looking for a full-time job or they have children in the region, there are periods of time in which it makes sense their intent would be to reside in the state of Nevada, and that discretion could be held by the homeless services entity. I do not know if you have had that conversation, but it may be worth having to give a more likely way on that six-month period of time for residency requirement; or add an "or" in there, "residency or at the discretion of an intent to reside," or something along those lines.

Senator Scheible:

That is a great idea. I do not know if we would need an amendment to do that. I would be open to that, and it touches on a point I wanted to make which is that this is all voluntary. We are not saying that homeless service providers have to allow people to utilize their locations as permanent addresses. The idea is to empower them to do that. Your point is well-taken. I would be happy to discuss it further.

Chair Peters:

Thank you. Are there other questions from Committee members? [There were none.] All right, we will move into testimony beginning with support testimony on Senate Bill 317 (1st Reprint) in our physical locations starting here in Carson City and moving to Las Vegas. Please come up to the table, and then we will move to the phones. You may begin when you are ready.

Zach Bucher, Government Affairs Officer, Government and Community Affairs, City of Las Vegas:

Good afternoon, Madam Chair, and Committee. I am with the City of Las Vegas here today in support. I am happy to say the City of Las Vegas, with our Courtyard Homeless Resource Center, already allows people to use the Center's address, and we have seen the benefits of doing that. So, we think this is a good bill and are here today in support.

Mendy T. Elliott, representing Nevada Housing Coalition:

Good afternoon, Madam Chair, and members of the Committee. Today, I am representing the Nevada Housing Coalition. If there is a housing bill, I am probably in front of you. As you know, we are hearing a lot of housing bills, and as we look to a seamless process for individuals to go from unhoused to housed, we have to start somewhere. There are different entry points into the system, and we certainly support and appreciate the bill's sponsor and the integrity of trying to make sure our unhoused individuals have a starting point as they integrate into the various services, whether it is Assembly Bill 310 (1st Reprint) or pick your number. This provides a great tool for our nonprofit organizations, especially, to start getting to know people and is helpful as it relates to the services they can provide.

Jonathan Norman, Statewide Advocacy, Outreach and Policy Director, Nevada Coalition of Legal Service Providers:

Chair, and members of the Committee, Jonathan Norman representing the Nevada Coalition of Legal Service Providers. I cannot say it better, so, ditto.

Chair Peters:

Seeing no one else coming to the table in Carson City or Las Vegas, we will move to the phones. Is there anyone on the phone to provide support testimony for S.B. 317 (R1)?

Noé Orosco, Program Manager, Silver State Voices:

I am the program manager at Silver State Voices, which leads the Nevada vote coalition. Our coalition supports S.B. 317 (R1) as this bill allows a person experiencing homelessness to use the service provider's address to apply for public services, enroll a family member in school, apply for a job, and even register to vote and receive voting materials by mail. While some service providers and the United States Postal Service already offer similar options, this bill seeks to expand those options and ensure people experiencing homelessness have multiple avenues. This bill is an important step toward ensuring that all individuals have equal opportunities to succeed and thrive. We thank Senator Scheible for bringing this forward. Please support S.B. 317 (R1). Thank you.

Will Pregman, representing Battle Born Progress:

Hi, good afternoon, Chair, and members of the Committee. We are here in support of S.B. 317 (R1). We thank Senator Scheible for bringing this forward. This bill would allow a person experiencing homelessness to use the provider service as a temporary mailing address. Currently, people experiencing homelessness can face major difficulty applying for jobs, housing, education, receiving mail, and other basic functions of living most of us take for granted. These amenities are key to someone who is unhoused making the transition to get back on their feet. We should be doing everything to facilitate this transition in a positive way, especially as the economic fallout of the pandemic continues. Thank you very much, and we urge you to pass S.B. 317 (R1).

Chair Peters:

Thank you. Next caller, please. [There was no one.] We will move on to opposition testimony. Is there anyone in Carson City or Las Vegas to provide opposition testimony to

S.B. 317 (R1)? Seeing no one come to the desk in either location, is there anyone on the public line to provide opposition testimony for S.B. 317 (R1)? [There was no one.] We will move on to neutral testimony. Is there anyone in Carson City or Las Vegas to provide neutral testimony on S.B. 317 (R1)? Seeing no one coming to the table, would you check the public line for neutral testimony on S.B. 317 (R1)? [There was no one.] Would you like to make closing remarks? The Senator waived closing remarks. We will close the hearing on Senate Bill 317 (1st Reprint). That gets us through our hearings for today, and we will move into our last agenda item which is public comment. We will start with public comment in Carson City and Las Vegas and then move to the phones. Seeing no one come up to the desk in Carson City or Las Vegas, would you check the phones for public comment today? [There were no callers.] With that, we are adjourned [at 2:53 p.m.].

RESPECTFULLY SUBMITTED:

Terry Horgan
Committee Secretary

APPROVED BY:

Assemblywoman Sarah Peters, Chair

DATE: _____

EXHIBITS

[Exhibit A](#) is the Agenda.

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

[Exhibit C](#) is a proposed amendment to Senate Bill 315 (1st Reprint) submitted and presented by Erik Jimenez, Chief Policy Officer, Office of the State Treasurer.

[Exhibit D](#) is supplemental information submitted by Jesse Wadhams, representing 988 Awareness Project, in support of Senate Bill 315 (1st Reprint).

[Exhibit E](#) is a proposed amendment to Senate Bill 315 (1st Reprint) submitted by Jesse Wadhams, representing 988 Awareness Project.

[Exhibit F](#) is a letter dated May 10, 2023, submitted by Gabby Everett, Director of Advocacy and Research, Three Square, in support of Senate Bill 315 (1st Reprint).