

**MINUTES OF THE  
SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES**

**Eighty-second Session  
May 30, 2023**

The Senate Committee on Health and Human Services was called to order by Chair Fabian Doñate at 1:56 p.m. on Tuesday, May 30, 2023, in Room 2134 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412E of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

**COMMITTEE MEMBERS PRESENT:**

Senator Fabian Doñate, Chair  
Senator Roberta Lange  
Senator Robin L. Titus  
Senator Jeff Stone

**COMMITTEE MEMBERS ABSENT:**

Senator Rochelle T. Nguyen, Vice Chair (Excused)

**STAFF MEMBERS PRESENT:**

Destini Cooper, Policy Analyst  
Eric Robbins, Counsel  
Mary Ashley, Committee Secretary

**OTHERS PRESENT:**

Sean O'Donnell, Foundation for Recovery  
Barry Cole  
Morgan Biaselli, New Frontier Treatment Center; Vitality Unlimited  
Karissa Loper Machado, Division of Welfare and Supportive Services, Nevada  
Department of Health and Human Services  
Lea Case, Children's Advocacy Alliance

CHAIR DOÑATE:

We will open today's meeting with Assembly Bill (A.B.) 403.

**ASSEMBLY BILL 403 (1st Reprint)**: Revises provisions governing halfway houses for persons recovering from alcohol or other substance use disorders. (BDR 40-1057)

SEAN O'DONNELL (Foundation for Recovery):

Assembly Bill 403 offers a straightforward change in licensing and certifying recovery houses in Nevada. Recovery houses, formerly known as halfway houses, are safe, substance-free and healthy residential environments. These are places for people who are recovering from substance use disorder. It provides peer support, education and skills, which are vital for sustaining recovery in a home-like setting.

Many of the recovery houses are based on the Social Model principles that have existed in the U.S. since at least the mid-1800s. It offers a congregate living environment where residents who are recovering from substance abuse live together and share a common space. The residents support one another during the recovery journey and reintegration into the community. Examples are finding and gaining employment, returning to school, attending support groups, meeting with one another, cooking meals together and sharing common chores and tasks around the house.

While residents may engage in clinical treatment services, recovery houses do not provide clinical treatment and should not be confused with residential treatment programs. The existing laws require these houses to be both licensed and certified through the Division of Public and Behavioral Health (DPBH). *Nevada Revised Statutes* (NRS) 449 requires recovery houses to be licensed as facilities for the dependent and follow laws and regulations governing these types of facilities. In addition, NRS 458 requires recovery houses to also be certified by DPBH. The duplication of oversight efforts through licensure in NRS 449 and certification in NRS 458 has created an unnecessary burden to recovery houses.

In 20 years of licensure, the number of halfway houses has been limited to no more than 10 facilities Statewide with 8 currently licensed. Assembly Bill 403 removes the requirement for licensure and preserves the requirement for certification of the recovery houses by DPBH.

The National Association of Recovery Residences (NARR) represents over 20 state affiliates of recovery housing operators. It develops and maintains

quality standards for recovery residencies. It recommends that states adopt a certification process similar to Nevada's process. However, NARR has not commented on licensure requirements in addition to certification.

Nevada wants to support every opportunity for sustainable housing options for those in recovery. As Nevada abates the harm caused by the opiate epidemic, as well as the impact of alcohol and other substances, we must address the needs of vulnerable populations. The existing certification under NRS 458 provides a level of expertise beyond the physical premises under licensure. It also ensures that the elements of the programs in these homes meet national best practices. In other words, certification offers something more than assurances that homes are safe and sanitary. The housing operators implement services to support recovery, stable employment and healthy lifestyle choices.

Assembly Bill 403 continues to uphold local zoning laws. It allows the community to define and enforce necessary standards for the residences of individuals in recovery. Certification will continue to require compliance with public safety measures, such as fire and sanitation. It can address any concerns a neighborhood council could have on the impact of these houses. Overall, this bill allows us to step in the right direction toward national best practices and alleviate undue burden on existing recovery houses in our State. It continues to ensure that the necessary checkpoints and oversight exists for recovery houses so they can provide safe, clean and supportive living environments.

SENATOR TITUS:

I want to clarify it as a residential environment that does not offer any treatment.

MR. O'DONNELL:

You are correct.

SENATOR TITUS:

Is it more peer-to-peer support? Is it a group home where residents can share ideas, but no one comes in to provide counseling services?

MR. O'DONNELL:

Yes, that is correct.

SENATOR STONE:

Is this just changing the name from a halfway house to a recovery house? Can you articulate the difference between a license and a certification?

MR. O'DONNELL:

This bill is updating the terminology from halfway house to recovery house. A recovery house is a less-stigmatizing name but essentially the exact same thing.

Licensure is something someone would purchase to oversee the safety of the actual facility. It does not deliver any programs. Certification is a voluntary process that a recovery house could go through to show alignment with best practices. The certifying entity evaluates the delivery of the programs happening within the house.

SENATOR STONE:

Are you suggesting since we only have eight of these facilities that it is a function of whether we certify them or license them? Do you think that by certifying the facility, we could see more recovery houses? I would imagine we do not have enough in Nevada.

MR. O'DONNELL:

This bill is about expanding recovery housing options in Nevada. We work with many recovery housing operators. Having both licensure and certification requirements is a burden on these operators.

BARRY COLE:

I am in support of anything that increases our access to mental health services and substance use treatment facilities. I understand this is not a treatment facility. As a reminder, the original premise of Alcoholics Anonymous was any two people who got together could have a spontaneous meeting. Recovery houses will have informal meetings with two to four people residing together. The beauty of having sober friends is the person stays sober. If the person associates with people who drink and use drugs, then the person will tend to drink and use drugs. This bill is a great move in the right direction. I urge support for A.B. 403.

MORGAN BIASELLI (New Frontier Treatment Center; Vitality Unlimited):  
We support A.B. 403.

CHAIR DOÑATE:

I will close the hearing on A.B. 403. Since we are getting close to the end of Session, I will entertain a motion for A.B. 403.

SENATOR TITUS MOVED TO DO PASS A.B. 403.

SENATOR LANGE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR DOÑATE:

Let us move on to A.B. 463.

**ASSEMBLY BILL 463 (1st Reprint)**: Revises provisions governing child care facilities and certain child care programs. (BDR 38-1083)

KARISSA LOPER MACHADO (Division of Welfare and Supportive Services, Nevada Department of Health and Human Services):

The Nevada Department of Health and Human Services (DHHS) brought A.B. 463 forward to transfer certain duties and authorities related to childcare, licensing and regulation from DPBH to the Division of Welfare and Supportive Services (DWSS).

This is a companion policy bill to accompany the transfer of the childcare licensing budget account from DPBH to DWSS. This transfer will align the budget authority, programmatic implementation and oversight for childcare licensing activities. The lead agency is DWSS that will administer the federal Child Care and Development Block Grant. This change will create administrative efficiencies by having one agency be responsible for the oversight and implementation of childcare licensing activities. The administrative transition will not impact delivery of service or communications with childcare providers. The transfer will be seamless to the childcare providers.

In summary, sections 1 through 4, sections 6 through 8 and sections 11 and 12 make the necessary administrative changes in the NRS to transfer the authority and duties of childcare licensing and regulation to the Administrator of DWSS. Section 5 makes various changes to the membership categories of

the Nevada Early Childhood Advisory Council to ensure proper representation from the appropriate DWSS staff and Nevada's tribal community.

The bill before you addresses language discrepancies between the original text for A.B. 463 and A.B. 114. The latter bill makes additions and changes to the membership of the Nevada Early Childhood Advisory Council.

**ASSEMBLY BILL 114 (2nd Reprint)**: Revises provisions governing the Nevada Early Childhood Advisory Council. (BDR 38-788)

The language in each bill has been married, so they are now similar. Section 8 of A.B. 463 transfers the authority to enter facilities to conduct licensing inspections from the Chief Medical Officer of the DPBH to the Administrator of DWSS. The Administrator will authorize and direct childcare licensing staff to conduct inspections under the current standards. Section 8 of A.B. 463 also makes changes to ensure efficiencies for individual licensed childcare providers, while maintaining high fire safety standards.

After the initial bill hearing, we had a discussion with the State Fire Marshal and amended section 8 to specify that a designee of the State Fire Marshal must meet an industry standard accepted by the State Fire Marshal. Section 8 also removes the statutory requirement that the State Fire Marshal must inspect a childcare facility annually. Licensed facilities are also businesses, both large and small, and childcare providers. Facility owners must meet both local and State standards to be open for business, as well as the childcare licensing standards. If this bill is approved, DHHS will work with the State Fire Marshal's office, local fire agencies, local business licensing agencies and childcare providers and owners to develop a fire inspection schedule that ensures safety but also reduces duplicative visits to those facilities.

Sections 9 and 10 clarify that immunization coverage reports for childcare facilities should continue to be submitted to DPBH where the immunization program still resides.

SENATOR TITUS:

Is the reason for this bill because the federal funds are in the other department? Are you trying to merge the two, so you do not have two different agencies doing the same thing? Is it an attempt to become more efficient?

MS. MACHADO:

Yes, that is exactly what we are doing. The federal Child Care and Development Block Grant provides about 80 percent of the administrative funding for the childcare licensing branch. Currently, DWSS transfers this funding to DPBH. This bill will try to improve efficiencies for the State and those providers.

LEA CASE (Children's Advocacy Alliance):

We supported the budget enhancement process that made this change to move the department. We also echo Senator Titus's comments about needing a more efficient government. It is difficult to start a childcare business in the State. We need to make it easier on our childcare providers to ensure there are enough in the State. It will help the economy and allow people to get back to work.

CHAIR DOÑATE:

I will close the hearing on A.B. 463 and entertain a motion.

SENATOR TITUS MOVED TO DO PASS A.B. 463.

SENATOR STONE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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Remainder of page intentionally left blank; signature page to follow.

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CHAIR DOÑATE:

We have concluded the bill hearings and have no public comment. This meeting is adjourned at 2:14 p.m.

RESPECTFULLY SUBMITTED:

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Mary Ashley,  
Committee Secretary

APPROVED BY:

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Senator Fabian Doñate, Chair

DATE: \_\_\_\_\_



<b>EXHIBIT SUMMARY</b>				
<b>Bill</b>	<b>Exhibit Letter</b>	<b>Introduced on Minute Report Page No.</b>	<b>Witness / Entity</b>	<b>Description</b>
	A	1		Agenda
	B	1		Attendance Roster