

## MINUTES OF MEETING - WAYS AND MEANS COMMITTEE - NEVADA STATE LEGISLATURE

1968 SPECIAL SESSION - FEBRUARY 21, 1968

The meeting was called to order by Chairman Glaser at 11:20 AM in the Ways and Means Room.

Present: Glaser, Mello, Ashworth, Webb, Howard, Jacobsen  
Absent: Tyson, Young, Bowler

A. B. 19: Amends financial and commitment provisions relating to mental illness

A. B. 20: Provides for detention and treatment of insane criminals at Nevada state prison

Mr. Glaser said A. B. 7 had been referred to the Judiciary Committee. However, it covered so much diverse ground that it was split into 3 bills - 19, 20, and 21. The only concern we have as a committee on these bills is whether they include any financial implications now or in the future. A. B. 19 calls for the appropriation of \$100,000 for commitment proceedings between July 1, 1967 and June 30, 1968. It also calls for the sum of \$250,000 as a supplemental for the Nevada state hospital.

Mr. Bob Bruce reviewed last year's legislative actions. We decided to reduce the amount of appropriated funds and authorize an increase in authorized funds which should be coming in from pay patients care. So we authorized them to spend \$268,000 of pay patients receipts for the first year and \$300,000 for the second. Both money committees felt the use of these receipts for the operation of the hospital would encourage the collection of receivables. However, a bill in the past provided that pay patients receipts go directly into the general fund. He gave some figures on collections thus far: for 6 months through December - \$111,562.95 and the month of January - \$7,012.72. They are working on information on receivables so as soon as we have this, we will have a better picture of their financial situation. The money received this year, however, relates to last year's receipts. There have been certain changes in procedures and personnel. Perhaps they could determine the type of patient in the hospital, whether more or less than last year are indigent people.

Mr. Ashworth: We budgeted the money as an authorized expenditure coming from the pay patients themselves. Then we passed a bill saying this money should go into the general fund instead, so this A. B. 19 takes the money out of the general fund and puts it back in the hospital. However, there is a difference of \$175,000 more than actually collected for the first year.

Mr. Bruce said that the whole amount authorized for them to spend this year will not materialize. The \$250,000 appropriation is to fix this year's budget. It is possible more funds will be needed if not this year, then next.

Mr. Barrett said that if we follow the Governor's recommendation and appropriate \$250,000 this year, next year they should receive \$250,000 to replace that \$300,000 authorized which will simply mean a tightening for the hospital administration. .... The comparison to previous years is outlined in the Budget document.

Dr. Robert J. McAllister, Superintendent of the Nevada State Hospital, feels quite sure they are up from prior years because for the first time they have adequate staff and good business manager with people to pursue the collections. There is some possibility of an increase incurred through Title 19. There is a 50-50 chance of gaining accreditation when it comes up in 6 months and if so we would be eligible for federal matching fund programs. We have 100 patients less now compared to a year ago. Almost all the patients committed are done so at state expense - 99% - so we can't collect on these cases.

Mr. Ashworth asked who determines whether the state shall pay. ... Dr. McAllister said most are committed through court proceedings and the court determines the state is responsible. Those who enter voluntarily make arrangements with the business office. However, the determination for payment can only be made and not forced because we really cannot turn anyone away on financial grounds. Bills are sent out monthly. Most of the collections coming in are through insurance policies.

Discussion on the \$100,000 for precommitment proceedings and hospitalization incurred by the state between July 1, 1967 and June 30, 1968 as provided by last year's bill with no appropriation for it. Mr. Barrett said this would pay that and turn the responsibility back to the counties. He told of the bill from Southern Nevada Memorial Hospital for \$27,000 representing less than the first 6 months and would judge that the \$100,000 would not be adequate to pay off the bills accumulating for that period the state incurred responsibility.

Discussion on whether the language of A. B. 19 does in fact do what is intended - turn back the precommitment hospitalization and proceeding costs to the counties. Mr. Bob Grayson said that Sec.4 Section 14.5 pertaining to the district attorney ordering a person hospitalized for emergency observation and diagnosis is what is meant by a precommitment hospitalization cost and would be paid by the county. However, he was not sure whether the commitment proceedings language was clearly relieving the state.

On page 4 of A. B. 19 under Section 25, 2.(b) Mr. Grayson explained that this pertains to the person, who after commitment, wants an attorney for a Writ of Habeas Corpus or some proceeding to have his commitment relieved. This, then, will be a cost to the state, as opposed to the cost of the appointed attorney during the proceedings to have the person committed which would be a cost to the county. However, Mr. Barrett pointed out this section does not specify which fund of the state should pay this cost.

Mr. Howard asked if these proposed appropriations will carry the hospital through. .... Mr. McAllister said they lost \$36,000 from the original budget, but they will have savings in some areas such as salaries.

Mr. Barrett explained that the last section in A. B. 20 amends the personnel statute to exempt physicians from the \$20,000 limit that the Legislature has put on classified services. This is mainly because of the recruiting problem for these positions. There are 2 medical positions in the state that would not be increased by this act: Dr. McAllister's salary is unclassified; the State Health Officer's salary is set by another statute at \$21,000. There is a definite problem in recruiting, so we feel there is a justification for removing the \$20,000 limit on that position. 64

Dr. McAllister said we have 8 positions and only 3 psychiatrists at \$20,000 each. We could manage very well if we had 5 or 6 positions which could be filled and this could be done with higher salaries.

Discussion on this action being an inflationary measure affecting other positions. ... Mr. Barrett said this would just effect the physicians and psychiatrists at the state hospital and the Health Division, particularly the top of the Health Division where recruiting has also been a problem.

Mr. Barrett said the Personnel Division in conjunction with the Personnel Advisory Commission sets the rate range for these positions. The last salary survey set the Senior Psychiatrist's range from an \$18,000 figure to \$23,046. The State Health Officer's goes to \$26,000 plus. The reference to NRS, chapter 630, pertains to the medical license law.

Mr. Grayson stressed that this effects 3 statutes which would have to be changed: the one pertaining to the State Health Officer; the Superintendent of the State Hospital; and the physicians.

Dr. McAllister said the range should go up to \$25,000 instead of only \$23,000.

Discussion on conflict of this with the 95% rule of salaries. This would make the psychiatrist's salary higher than the superintendent and against the 95% ruling.

Mr. Mello asked questions pertaining to the psychiatrists already employed by the state hospital. One has been employed since November 1 and is assumed to be working in anticipation of a raise. The other has been with the hospital for many years and is working out his retirement.

Mr. Glaser said we will have to consider the superintendent's salary in context with these raises for the psychiatrists.

This subject will be continued at a meeting scheduled for February 22 at 10:30 AM. The Lake Tahoe hearing will be canceled for this afternoon. S. B. 20 - State Park System Engineer - will be scheduled for 2 PM February 21.

Meeting adjourned at 12 noon.