

Senate

COMMITTEE ON HEALTH AND WELFARE

Minutes of Meeting -- April 6, 1971

Chairman Walker called the meeting to order at 1:07 p.m.

Members present: Chairman Walker
 Senator Herr
 Senator Hug
 Senator Young

Absent: Senator Hecht

Guests: Dr. John Carr, Health Dept.
 Orville Wahrenbrock, Health, Welfare & Rehabilitation
 George Bennett, State Board of Pharmacy
 Bob Groves, Attorney General's Office
 Eldon Phillips, X-ray Technicians
 John Osse, X-ray Technicians
 John Aberasturi, Children's Home
 Dr. Winikow, Washoe Co. Health Officer
 Howard Clodfelter, Washoe County
 Juanita Blankenship, Clark County
 Shirley Wedow, PTA
 Anne Roberts, League of Women Voters
 Dorothy Button, Nevada Nurses Association
 Mrs. Melissa Cobb

AB 713 (Further discussion)

Dr. Winikow presented his objections to the bill. He felt that Rubeola should be included because he felt the Communicable Disease Center would fund this in the near future. He felt more time than one month before the opening date of school should be in the bill because it isn't practical. He suggested making it "one month or more."

Senator Hug said he was afraid this law might cause a hardship on the smaller counties.

Dorothy Button presented testimony opposing the bill which is attached. She also told the committee that the Nurses Asso. is presently working on getting a permit to allow nurses to do the immunizations which would probably solve the problem in the smaller counties.

Senator Herr moved to pull the bill off the General File and amend it, seconded by Senator Young and carried.

AB 500 Amends various provisions relating to orphans and dependent children.

John Aberasturi of the Children's Home said they were requesting some language that the present statutes are silent on. (1) requesting that the counties contribute toward the support of orphans from their county. Said this would involve very few children; (2) a section providing that the children in the Southern Nevada Children's home shall attend public school in Clark County; (3) the authorization of medical and surgical treatment for a child admitted to facilities in Carson City or Clark County (4) the superintendent may refuse admission

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of any child if no facilities are available to provide necessary care and no funds ^{are} available for support of such homes.

Juanita Blankenship of Clark County felt that orphans should not be the responsibility of the County because they are considered wards of the State.

Senator Young moved "Do Pass," seconded by Senator Hug and carried.

AB 499 Creates cause of action in department of health, welfare and rehabilitation against third parties for medical aid to indigent persons.

Melissa Cobb appeared in support of the bill. Senator Young had many reservations about the bill and gave examples of some of the potential problems that could arise. It was decided to hold the bill and possibly draft some new language.

AB 492 Requires reports of drug-related crimes to board of pharmacy and makes administrative changes in pharmacy act.

George Bennett with the State Board of Pharmacy testified in behalf of the bill. He said the most important aspect was the requirement of 500 hours in the practice of pharmacy in the year preceding the renewal receipt. He said that people in the past have kept up the renewal without practicing and in a very short time there have been so many new drugs and so many changes that they are not qualified.

Senator Young questioned paragraph (b) of subsection 4 and suggested it be removed.

Senator Young moved "Amend and Do Pass," seconded by Senator Herr and carried.

AB 497 Removes state board of examiners for nursing home administrators from health division; authorizes board to deposit moneys in financial institutions

Mr. Wahrenbrock said this would change the statute by putting the state board of examiners in the Welfare Division and allow the secretary of the board to deposit money in banks, rather than the state treasury. The present secretary is not from this area and it creates a problem trying to transact business in Carson City. He said there are no general funds or federal funds involved.

Senator Young moved "Do Pass," seconded by Senator Herr and carried.

Approved _____

**TESTIMONY PREPARED FOR SENATE COMMITTEE ON HEALTH AND WELFARE
ON AB 713**

I am Dorothy Button. I live at 1590 Hillside Drive in Reno, Nevada. I am chairman of the Nevada Nurses' Association Committee on Legislation.

Nevada Nurses' Association is the professional organization of registered nurses. In 1970 our Association had 601 members. Membership in the Association is voluntary.

The Nevada Nurses' Association Committee on Legislation opposes AB 713. We believe all children should receive routine immunizations; however, there have been problems with the immunization program conducted by Public Health Nurses employed by the Nevada Division of Health. These problems have been between local physicians and Public Health Nurses in two of Nevada's less populous counties--Humboldt and Elko. The question which has not been answered is: What is the legal status of the nurse who gives immunization injections without a written signed order for each individual child when a licensed physician is not present? It has been suggested that such a nurse is or may be practicing medicine without a license.

When I gave testimony similar to this at an Assembly Hearing earlier this session, one of the physicians present countered it with a statement that nurses have been giving immunization injections without a written signed order for each individual child and with out a licensed physician being present for

Testimony for AB 713 By Dorothy J. Button, R.N., Page 2

years. This is true, but this legal question which has not been answered has arisen in Nevada within the last 1 1/2 to 2 years.

Our committee on legislation had a request for similar legislation from the Registered Nurses employed by the Washoe County Schools. This was considered by the committee at our meeting on December 7, 1970. Because of the problems in some of Nevada's small counties and because legislation passed here applies Statewide, our recommendation to these nurses was that they explore the possibility of implementing the proposals in Washoe County through meetings with the Washoe County Commissioners. They are in the process of doing this now and are pleased that we suggested this to them. These nurses believe that it will be easier to change school policies with regard to immunizations as knowledge about them changes, if this is handled within the county.

Other questions which I have about this particular bill are:

Who is going to pay for the immunizations?

Why is rubella not included in the list of conditions for which immunizations are required?

If a child develops a vaccinia following a smallpox vaccination, won't the State of Nevada be liable?

Are not compulsory immunizations just one more way of chipping away at the individual's privacy?

In the United States through history, we have raised the level of health through education rather than through compulsion.

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H. R. MATERN, M.D.
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J. M. REAT, M.D.
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ELKO CLINIC

Original document is of poor quality

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CARL M. BRUCE,
BUSINESS MANAGER

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The physicians of the Elko Clinic believe all children should receive routine immunizations. If parents wish their children to receive the immunizations from nurses of the Public Health Service, it is perfectly all right with these physicians. However, the individual physicians assume no legal responsibility for immunizations or immunization programs conducted by Public Health nurses.

It is our understanding the Nevada State Department of Public Health has given authorization to Public Health nurses to conduct immunization programs.

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The original document is of poor quality, but is readable upon careful inspection.
Library staff has transcribed the original document, the text of which follows.

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Cark H. Shuck
Business Manager

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