

Assembly

HEALTH & WELFARE COMMITTEE MINUTES

FEBRUARY 7, 1973

MEMBERS PRESENT: BENNETT, CRADDOCK, HICKEY, MCNEEL, WITTENBERG

MEMBERS ABSENT: GETTO, FRY

Guests: Virginia Edwards, Lic. Practical Nurse
 Ora Mae Rogan " " "
 Lydia Pucevich
 Era L. Munsell, Nevada Nurses Assn.
 Mary Kennedy, " " "
 Thelma L. Jenkins " " "
 LaVerne Indermehl " " "
 Jean K. Rambo " " "
 Marjory K. Tsuda " " "
 Jean T. Peavy Nevada State Bd. of Nursing
 Marjorie E. Neff Nevada Nurses Assn.
 Dr. Wm. Van Patten, Optometrists
 Robert McDonald, Attorney
 Thomas Gibbons, Optometry
 Ellen H. Pope, LPN Assn.
 R. K. Myles, M.D., Washoe County Med. Soc.
 Smiley K. Bayless, Nevada Nurses Assn.
 A. Moser, Nevada Nurses Assn.
 Dorothy Button, Nev. Nurses Assn.
 Sarah Dean Gaiser, " " "
 Gloria Castillo, " " "
 Nelson B. Neff, Nev. Medical Assn.
 D. J. Zunini, Optometrist
 W. J. LaBodie, Welfare
 D. T. Tomlinson "
 Dino Martini "
 Earl Yamashita "
 Bill Sprinkle "
 Jean MacVicar, Univ. of Nevada

Chairman Bennett called the meeting to order at 8:00 a.m. and stated that the first order of business was a discussion of AB 178.

Mr. Dino Martini of the Welfare Division appeared as a witness, and explained the bill was to transfer the responsibility for mailing of welfare warrants from the State Controller to the Welfare Division. He stated this has been done by the Welfare Division for the past four years, they have current addresses of recipients, and could give faster service on mailing these warrants.

No questions or objections and the Committee proceeded to AB 179.

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Mr. D. T. Tomlinson of the Welfare Department stated this bill related to responsibility of family members to support other family members who are on welfare. This bill is to delete the responsibility of children to support parents who are applicants for or recipients of welfare. One of the reasons for this is that children refuse to contribute on the grounds that the parents have done nothing for them, but the main consideration is that the cost of trying to enforce the present law is much more than they ever get back from the children. Also, the law is inequitable in that children are expected to be as liable as a spouse or a parent. Also inequitable is that one or more children may reside out of state and they cannot be forced to support parents while a child residing in the state is subject to prosecution.

They are also requesting that the words "cost of living index" be changed to "National Consumer Price Index" since Nevada does not have a cost of living index, and the nearest one is California's which does not necessarily reflect the Nevada situation. It is more realistic to use National Consumer Price Index.

The discussion then turned to AB 116 which had been continued from the January 31st meeting. Mrs. Button, Chairman of the Nevada Nurses' Association, read a prepared statement to the Committee. Copy of such statement is attached hereto and made a part of these minutes. Mrs. Button then read a letter addressed to her from Dr. Robert Lock, Director of Health Services, University of Nevada, Reno, in which he gave full support to the addition to the definition of "practice of professional nursing" as set forth in 632.010, Paragraph 6. Mrs. Ellen Pope, Licensed Practical Nurses Association from Fallon also spoke in support of the change.

Dr. Robert K. Myles, Chief of Staff of Washoe Medical Center and member of Washoe County District Board of Health, appeared as a witness, and stated that the Nevada State Medical Assn. had gone over this particular change or addition to the law, and they felt it was imperative and important to have the law this broad to give nurses authority to operate efficiently under present conditions. He also stated that the certification of the nurse's ability in certain areas was necessary above the licensing.

Mr. Robert McDonald, a Reno attorney representing the Optometric Association, appeared and asked that the following amendment be considered:

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"On Page 3 of AB 116, in line 23, substitute a "," for the character "." and insert the following:

except nothing in this act shall be construed to authorize professional nurses to perform those specific functions and duties specifically delegated by law to those persons licensed as dentists under NRS 631.090, as optometrists under NRS 636.025, or as podiatrists under NRS 635.010. "

Drs. William G. Van Patten and Thomas J. Gibbons appeared as witnesses on behalf of the amendment.

Mrs. Button and Dr. Nelson Neff, Executive Secretary of the of the Nevada Medical Association, objected to the amendment on the grounds it accomplished nothing, would only "muddy the waters", and felt that optometrists, dentists and podiatrists should go direct to their own licensing board.

After discussion Chairman Bennett suggested that the Nurses Association, the Nevada Medical Association, and the group requesting the amendment get together and endeavor to reach a compromise, after which time another hearing would be held. It was so agreed.

All witnesses were excused and the Committee proceeded to vote on AB 178. Mr. McNeel made a "Do Pass" motion, seconded by Mr. Craddock:

Yes votes: Bennett
Craddock
Hickey
McNeel
Abstain: Wittenberg

Motion passed.

AB 179 was discussed at length and Mr. Wittenberg made a motion to postpone the matter until further information was received. Mr. McNeel seconded the motion.

The meeting was adjourned by Chairman Bennett at 9:15 a.m.

Respectfully submitted,

Jane Dunne, Secretary

ASSEMBLY

AGENDA FOR COMMITTEE ON HEALTH & WELFARE

Date Feb. 7, 1973 Time 8:00 a.m. Room 240

Bills or Resolutions
to be considered

Subject

Counsel
requested*

AB 116

Revises chapter regulating practice
of nursing, making various substantive
and technical changes

AB 134

Permits family planning services to
minors without parental consent.

Supervised

*Please do not ask for counsel unless necessary.

HEARINGS PENDING

Date _____ Time _____ Room _____

Subject _____

Date _____ Time _____ Room _____

Subject _____

ASSEMBLY

AGENDA FOR COMMITTEE ON HEALTH & WELFARE

Wednesday
Date Feb. 7, 1973 Time 8:00 a.m. Room 240

Bills or Resolutions
to be considered

Subject

Counsel
requested*

THIS AGENDA SUPERSEDES PREVIOUSLY

PUBLISHED AGENDA FOR FEBRUARY 7, 1973

AB 116

Revises chapter regulating practice
of nursing, making various substantive
and technical changes.

AB 178

Transfers responsibility for mailing
of welfare warrants from state controller
division of department of health, welfare
and rehabilitation.

AB 179

Reconciles financial responsibility
provisions in public welfare law.

*Please do not ask for counsel unless necessary.

HEARINGS PENDING

Date _____ Time _____ Room _____
Subject _____

Date _____ Time _____ Room _____
Subject _____

I am Dorothy Button. I live at 1590 Hillside Drive in Reno. I am chairman of the Nevada Nurses' Association Committee on Legislation. The Nevada Nurses' Association is the professional organization of registered nurses.

We have studied the amendments to NRS Chapter 632 contained in AB 116 carefully. They are consistent with amendments requested by and agreed to by Nevada registered and licensed practical nurses. We are not asking for any more amendments at this time.

Are we still agreed that the focus this morning is to be the addition to the definition of "practice of professional nursing"?

The definition of "practice of professional nursing" passed by the legislature ^{in 1963} will remain in the law. Retaining this basic definition avoids the danger of authorizing all registered nurses to perform routinely, acts which should be performed only by nurses with special training and/or under emergency or other closely defined conditions.

The 1963 definition has been useful for 10 years during which the practice of nursing has been changing. This definition is not consistent with the scope of "practice of professional nursing" as it now exists in Nevada, under medical guidance in emergency rooms, in intensive care, coronary care and pediatric intensive care units, in psychiatric nursing, by nurses certified to give anaesthetics or to function as midwives, by nurse practitioners working in family planning, in pediatrics, in obstetrics, Etc.

Mrs. Thelen learned through questionnaires and confidential interviews during the information gathering phase of her project to determine whether or not there is a need for a rural nurse practitioner, that Nevada nurses are already functioning in these ways and that physicians and hospital administrators expect them to function in these ways.

If patient needs are to be met, the capabilities of nurses must be more fully utilized. It has been said that almost four out of five patients have needs that fall not within the medical role of diagnosis and treatment, but well within the sphere of nursing.¹ This sphere involves follow-up and evaluation, support, education and an understanding relationship.

Nurses working in these latter categories are people who have preparation in addition to their basic educational program in nursing. The definition approved ten years ago is not broad enough to encompass all of these categories; therefore, we have asked that it be enlarged by adding this new sentence to it. Some of you have said that the new sentence is broad, which it is. It has to be broad because the practice of nursing is broad. We believe that the definition of "practice of professional nursing" contained in the law should be broad enough to include all registered nurses, regardless of where they practice, and broad enough to allow flexibility. Once the new sentence is added to this definition, The Board of Nursing will define in its' Rules and Regulations specifically which acts these nurses may perform, under what conditions and the specific training required for nurses functioning in these ways. The fact that these additional

will be mutually agreed to by the medical and nursing professions, acts/will be performed only by nurses with special training, under closely defined conditions, who have appropriate supervision provides the protection which the public needs. Protection of the public is the purpose of all licensure laws.

¹Bates, Barbara, M.D. "Nurse-Physician Dyad: Collegial or Competitive?" Three Challenges to the Nursing Profession Selected papers from the 1972 ANA Convention.

57TH NEVADA LEGISLATURE

HEALTH AND WELFARE COMMITTEE
LEGISLATION ACTION

DATE Feb. 7, 1973

SUBJECT AB 178

MOTION:

Do Pass xx Amend _____ Indefinitely Postpone _____ Reconsider --

Moved By McNeel Seconded by Craddock

AMENDMENT:

Moved By _____ Seconded By _____

AMENDMENT:

Moved By _____ Seconded By _____

VOTE:

| | MOTION | | AMEND | | AMEND | |
|----------------|----------------|-------|-------|-------|-------|-------|
| | Yes | No | Yes | No | Yes | No |
| Bennett, M. | <u>x</u> | _____ | _____ | _____ | _____ | _____ |
| Craddock, R. | <u>x</u> | _____ | _____ | _____ | _____ | _____ |
| Hickey, T. | <u>x</u> | _____ | _____ | _____ | _____ | _____ |
| Wittenberg, A. | <u>Abstain</u> | _____ | _____ | _____ | _____ | _____ |
| Fry, L. | _____ | _____ | _____ | _____ | _____ | _____ |
| Getto, V. | _____ | _____ | _____ | _____ | _____ | _____ |
| McNeel, R. | <u>x</u> | _____ | _____ | _____ | _____ | _____ |

TALLY:

Original Motion: Passed XX Defeated _____ Withdrawn _____

Amended & Passed _____ Amended & Defeated _____

Amended & Passed _____ Amended & Defeated _____

Attach to Minutes Feb. 7, 1973
(Date)