

SENATE COMMITTEE ON
HEALTH, WELFARE AND STATE INSTITUTIONS
MINUTES OF MEETING #7

FEBRUARY 28, 1973

The meeting was called to order at 9:00 a.m.

Senator Walker in the chair.

PRESENT: Senator Herr
Senator Young
Senator Raggio

Other interested parties concerned, which list
is hereto attached as Exhibit A.

S.B. 248: SUMMARY—Amends provisions relating to pharmacies, pharmacists
and hospitals. Fiscal Note: No. (BDR 54-958)

First witnesses: Sharon Greene, Exec. Dir., Nevada State Hospital
Association
& Norman Peterson, Ass't. Administrator, Washoe
Medical Center
Sponsors of Tom Piepmeyer, Ass't. Administrator, St. Mary's
this bill Hospital
Al Johns, Chief Pharmacist, St. Mary's Hospital

Mr. Peterson explained the purposes of this bill which were
two-fold: (1) to give the hospital pharmacist representation
on the State Board, and
(2) to legalize use of technical personnel in
hospital pharmacies, along with and under the
supervision of, a registered pharmacist.

Please refer to Exhibit B hereto attached for detailed
synopsis and amendments as requested by this delegation.

In the discussion which followed, Senator Young asked if the
same arguements couldn't be made for the retail profession,
i.e., employing pharmaceutical technicians or assistants.

Mr. Johns replied 'no', inasmuch as the retailer could not
maintain the system of checks and balances as accurately as
could the hospital pharmacist.

Senator Herr took exception to the wording on Page 3, line
46 "...in the absence of a pharmacist...the supervisory
registered nurse may obtain ...necessary doses of such as

SENATE COMMITTEE
HEALTH WELFARE, AND STATE INSTITUTIONS
MINUTES OF MEETING # 7
FEBRUARY 28, 1973
PAGE 8

are ordered by a medical practitioner and needed by a patient in an emergency...". Senator Herr stated that she had never heard of this in any hospital, and didn't think it should be allowed; that all dispensation of drugs should be attended to by a trained or licensed pharmacist, accompanied by Dr.'s orders. Ms. Greene explained that this provision was included for the sake of those rural areas which may not have a registered pharmacist or an M.D. on duty during the night hours.

Mr. Piepmeyer stated that this provision did not exclude an M.D.'s orders, but was meant to be 'upon Dr's orders only'.

Senator Young inquired about the ration between hospital pharmacists and those employed in retail businesses. According to Mr. Peterson, the ratio is approximately 6-1.

Senator Walker asked if the regulations already included technicians and assistants, to which was answered "no" by the second witness, Mr. Bennett, State Inspector for the Board of Pharmacy.

Mr. Bennett expressed opposition to this bill in its entirety, justified on the basis of negating 'consumer protection'.

Mr. Bennett also informed the committee that Washoe Medical Center has been violating Regulation #1.65 for the past 18 years. This regulation describes acts which must be performed by a licensed pharmacist (7), which include typing of the label, and affixing it to the container. Carson Tahoe Hospital has been violating this regulation as well.

Senator Neal asked of the performance record of Washoe Medical Center, and was informed that they had an excellent record.

Finally, the only point presented by Witnesses #1 (Exhibit B, page 3, #3) that Mr. Bennett concurred with was the experience requirement demanded by the board for its membership (from 7 years to five years).

Mr. Frank Titus, a retail pharmacist, spoke as witness #3, stating he felt this bill as it now reads, adequately reflects all areas of the pharmaceutical profession, and requested a "do Pass". After much discussion, Mr. Titus recommended the following amendment on page 4, line 16: After the word "pharmacist", delete ":", and add ", for in-patient care only."

Senate

HEALTH, WELFARE AND STATE INSTITUTIONS

MINUTES OF MEETING # 7

FEBRUARY 28, 1973

PAGE 3

Witness #4 was Mrs. Dorothy Button, Chairman of the Legislative Committee of the Nevada Nurses Association. She requested the following amendment on page 3, lines 46 and 47: Delete "supervisory registered nurse" and insert "pharmacist's designee". The reason for this being that registered nurses are not licensed to dispense medication, and thus the responsibility should lie upon the pharmacist, where it belongs. Refer to Exhibit C hereto attached.

Time being premium, Senator Walker tabled this bill, rescheduling it for Monday, March 5, 1973.

SJR 12: SUMMARY—Memorializes Congress to enact legislation recognizing health care as a right of citizens and to adopt national health insurance plan. Fiscal Note: No. (BDR 980)

For the record, Ms. Greene stated that her delegation concurred with the resolution, and asked that this be put on record.

Senator Raggio requested a research synopsis regarding this resolution before the committee gave its recommendation. Ms. Greene consented to supply said synopsis to the committee.

SJR 12 was thus tabled, pending receipt of research synopsis.

S.B. 97: SUMMARY—Provides flexibility in amount of money which may be paid to prisoner upon release from state prison. Fiscal Note: Yes. (BDR 16-301)

This bill, re-referred, was recommended to the committee to concur, stating that \$50.00 was the highest that could be hoped for. His recommendation was so carried.

S.B. 94: SUMMARY—Provides certain changes in payment of certain expenses for transportation of prisoners. Fiscal Note: No. (BDR 16-294)

This bill having been tabled (refer to Minutes #2, page 2,) pending receipt of a report from the Washoe County Sheriff's Office, received a "Do Not Pass" vote.

A.B. 184: SUMMARY—Permits reporting of child abuse or neglect either to law enforcement agency or to local office of welfare division. Fiscal Note: No. (BDR 16-47)

Chairman Walker informed the committee that the State Department of Welfare had written a proposal regarding this bill, and suggested tabling it until time permitted review of said report.

S.B. 68 SUMMARY—Repeals licensing requirements for marketing blind-made products or soliciting contributions for benefit of blind persons. Fiscal Note: No. (BDR 38-64)

(refer to Minutes #2, page1). Committee voted "Do Pass" on S.B. 68.

Chairman Walker asked for the committee's approval to invite Professor Kang, of the American Society of Acupuncture to give a demonstration and explain the benefits of same.

The committee agreed, with Senator Raggio volunteering as subject for said demonstration.

The meeting adjourned at 10:47 a.m.

Respectfully submitted,



Jo Ann N. Hughes, Secretary

APPROVED:

Lee E. Walker, Chairman

PLEASE PRINT

EXHIBIT A
Meeting #7
2/22/77

mutual
2/26/77

NAME	REPRESENTING	ADDRESS
J. E. Kanellos	NEV. OPT. ASSOC	Reno, NEV
Nelson B. Y. (NEFF)	NEV. STATE MED. COUN.	Reno, NV
Robert E. Edmondson	Comprehensive Health Plan	Carson
Bill FSAEFF	ATTORNEY GEN. OFFICE	CARSON
Margaret G. (NEFF)	Nevada Nurses Assn	Reno
Carl M. Samuel	Optometry profession	Reno
Senator Blakemore		Tonopah
" Monroe		
Thomas Wilson		
Dorothy Button	NEV. NURSES ASSOC.	
and		
Henriksen		

witnesses for SB 248 =

- (2) Sharon Greene Executive Director Nevada Hospital Association
- (3) Norman Peterson Assistant Administrator Washoe Medical Center
- (4) Tom Piepmeyer Assistant Administrator St. Mary's Hospital
- (1) Al Johns Chief Pharmacist St. Mary's Hospital
- ~~Dave Brandsness Administrator Sunrise Hospital~~

SENATE HEALTH, WELFARE & STATE INSTITUTIONS COMMITTEE Hearing re: S.B. 248
February 28, 1973.

- I. S.B. 248 amends provisions relating to pharmacies, pharmacists and hospitals in basically two ways:
 - A. Composition of the Board of Pharmacy - the proposed bill makes provisions for the Board of Pharmacy to be more representative of the practices of pharmacy in the State of Nevada. Specifically, it would provide for representation of community (retail) and hospital practices of pharmacy on the Board.
 - B. Establishment of some basic provisions for the operation of a hospital pharmacy which includes recognition of utilizing technical personnel in the hospital pharmacy.
- II. Why do hospitals want laws that specifically relate to the operation of a hospital pharmacy?
 - A. The hospital practice of pharmacy is substantially different from the community practice of pharmacy. Specifically, patient profile, drug interaction, drug information center, unit dose, and I.V. additive system are examples of pharmaceutical practice in a hospital that sets a hospital pharmacy apart from a community pharmacy.
- III. Why do hospitals want utilization of technical personnel in the hospital pharmacy included as a part of the legislation pertaining to a hospital pharmacy?
 - A. Such legislation would enable hospital pharmacists to be freed of the routine, repetitive tasks of counting and pouring drugs, typing and affixing labels and recordkeeping, and thereby permit the following:
 1. More fully utilize the pharmacist's educational background in anatomy, physiology, biopharmaceutics, pharmacology, etc.;
 2. Enhance the pharmacists role and function in relation to his professional peers;
 3. Improve the overall quality of patient care. In order to more fully utilize the unique body of knowledge that a pharmacist has about drugs, he should be providing drug intelligence to other members of the health care team - and spending his time with patients, physicians, nurses and with other pharmacists - consulting, discussing and researching patient care.
 4. Enables hospitals to operate pharmaceutical services at a reduced cost. By utilizing personnel who are well-trained but less highly educated than a registered pharmacist, the hospital pharmacy can fulfill its function more economically. Based upon current salary scales, a pharmacy technician can perform the routine, repetitive pharmacy tasks for approximately one-half the cost of a registered pharmacist performing those same tasks.
- IV. What concerns should the legislature have when considering this legislation?

Senate Health, Welfare & State Institutions Committee Hearing re: S.B. 248
February 28, 1973
Page 2.

A. Are the hospitals putting pharmacists out of jobs? ANSWER: Yes & No!

YES, we are putting them out of a clerical job;

NO, we are not putting them out of a job as a pharmacist.

B. What assurances does the legislature have that the quality of pharmaceutical services in a hospital will not deteriorate?

1. The State Board of Pharmacy through its routine investigation process ensure that quality service is being rendered.
2. The bill requires that the pharmacist in charge of the pharmacy initiate procedures to provide for administration and technical guidance in all matters pertaining to the acquiring, stocking, recordkeeping and dispensing of drugs and devices.
3. The checks and balances automatically built into the hospital dispensing process provide for accuracy and safety in the performance of these tasks.
4. Neighboring states, as well as other states across the nation, have been doing what is proposed for a number of years without any lessening of quality.
5. Pharmacy technicians have been successfully utilized in one hospital in the State of Nevada for over 18 years.
6. And, lastly - an analogy.

The quality of nursing care did not decline when the R.N. gave up such tasks as carrying out the bed pan, changing the linens, giving the patient a bath; nor, did it decline when the R.N. gave up taking the patient's vital signs, or passing medications. What did happen? The quality of patient care improved. WHY? Because as the R.N. was freed of the routine, repetitive tasks, she was able to more fully utilize the knowledge an R.N. has, and as a team leader could be more effective in rendering patient care.

PROPOSED AMENDMENTS TO SB 248.....

1. Page 1, italics on lines 5, 6 & 7. Recommend deletion.
REASON: Inclusion of this is superfluous as hospital pharmacies are already included in the existing definition of a pharmacy.
2. Page 1, line 9. The bill calls for seven members on the Board of Pharmacy. We recommend that it be left at the present five.
REASON: Avoids additional expenses of travel, lodging, etc. that go along with a Board member attending meetings of the Board.
3. Page 1, line 13. Recommend that "7" be changed to "5" years experience.
REASON: This will permit younger, more recent pharmaceutical graduates to be eligible for appointment to the Board of Pharmacy.
4. Page 1, lines 15 and 16. Recommend this be amended to read "Composition of the board should be representative of community and hospital practices of pharmacy."
REASON: Revised wording greatly simplifies the process of appointing members to serve on the Board.
5. Page 1, lines 17 through 24. Recommend deletion.
REASON: Superfluous; no longer necessary as a result of recommended amendment regarding composition of the board (lines 15 and 16).
6. Page 2, italics on lines 10 through 13. Recommend deletion.
REASON: This provision is no longer necessary as a result of recommendation that the number of board members remain at 5 (reference: page 1, line 9).
7. Page 2, lines 36 and 37. Recommend deletion.
REASON: Purpose of establishing registry of pharmaceutical assistants was for assessment of fees. The fees generated as a result of this would help offset expenses involved with two additional board members. We have recommended deletion of the two additional board members, thus the additional funds are not necessary. Secondly, HEW has recommended a moratorium on any further licensure of health care personnel.
8. Page 3, lines 5 and 6. Recommend deletion.
REASON: As cited in #7 above.
9. Page 3, lines 20 through 23. Recommend deletion.
REASON: Purpose of this was to generate additional funds to help offset expenses involved with two additional board members. Additional funds are no longer necessary as we have recommended deletion of two additional board members.
10. Page 3, line 38. Recommend this be amended to read "100" instead of "50".
REASON: Relieves the constraint that this would pose for rural hospitals which do not need the services of a full-time pharmacist for the provision of pharmaceutical services to their patients.
11. Page 3, line 41. Recommend this be amended to read "100" instead of "50".
REASON: As cited in #10 above.

12. Page 4, line 1. Recommend this be amended to have the sentence end after the word "emergency", and that the remaining portion of line 1 and all of lines 2 & 3 be deleted.

REASON: Superfluous. Provisions for emergent circumstances as well as routine operations of the hospital pharmacy are adequately specified elsewhere.

13. Page 4, lines 8 through 13. Recommend that this section be deleted.

REASON: Registry of pharmaceutical assistants has been deleted via previous recommendation (reference: Page 2, lines 36 & 37).

14. Page 4, lines 14, 15 and 16. Recommend this be amended to read as follows:
"A pharmaceutical technician may perform the following functions only if under the direct supervision of a registered pharmacist in conjunction with hospital patient pharmaceutical services:"

REASON: Language change - more clearly defines control and supervision of pharmaceutical technicians functioning within a hospital-patient pharmaceutical service.

15. Page 4, line 20. Recommend that the word "registered" be deleted, and that the word "assistants" be changed to "technicians".

REASON: To coincide with previous deletion and language change.

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 request that the wording on page 3, lines 46 and 47 which reads, "supervisory registered nurse" be changed to "pharmacist's designee".

Our reason for requesting this change is that ^{registered} nurses are not licensed to dispense medications. The change suggested above, leaves the responsibility of dispensing medications with the pharmacist to whom it belongs.

Concur

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

S. B. 97

SENATE BILL NO. 97—COMMITTEE ON HEALTH,
WELFARE AND STATE INSTITUTIONS

JANUARY 24, 1973

Referred to Concurrent Committees on Health, Welfare and State
Institutions and Finance

SUMMARY—Provides flexibility in amount of money which may be paid to
prisoner upon release from state prison. Fiscal Note: Yes. (BDR 16-301)

EXPLANATION—Matter in *italics* is new; matter in brackets [] is
material to be omitted.

AN ACT to amend NRS 209.500, relating to the release of prisoners from the
state prison, by providing flexibility in the amount of money to be paid to a
prisoner upon his release; and providing other matters properly relating
thereto.

*The People of the State of Nevada, represented in Senate and Assembly,
do enact as follows:*

- 1 SECTION 1. NRS 209.500 is hereby amended to read as follows:
2 209.500 Whenever any prisoner shall be released from the state
3 prison, [of this state,] either by expiration of his term of sentence, or
4 by pardon, or by parole, the warden [shall:] *may*:
5 1. Furnish him [\$25, the same to] *with a sum of money not to*
6 *exceed \$50, the amount to be based upon the prisoner's economic*
7 *need as determined by the warden, which shall be allowed and paid out*
8 *of the state prison fund as any other claim against the fund.*
9 2. Give him notice of the provisions of NRS 202.360, forbidding
10 ex-felons to possess or have custody of concealable weapons and the
11 provisions of NRS 207.080 to 207.150, inclusive, relating to the regis-
12 tration and fingerprinting of convicted persons:
13 3. Require him to sign an acknowledgment of the notice required
14 in subsection 2.

Do Not Pass

S. B. 94

SENATE BILL NO. 94—COMMITTEE ON HEALTH,
WELFARE AND STATE INSTITUTIONS

JANUARY, 24, 1973

Referred to Concurrent Committees on Health, Welfare
and State Institutions and Finance

SUMMARY—Provides certain changes in payment of certain expenses for transportation of prisoners. Fiscal Note: No. (BDR 16-294)

EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to transportation of prisoners; providing certain changes in the payment of certain expenses.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

- 1 SECTION 1. NRS 209.220 is hereby amended to read as follows:
2 209.220 1. The expense of transporting convicts from the various
3 counties of the state to the state prison shall constitute a charge upon the
4 state, and shall be paid by the state treasurer on the state controller's
5 warrant, to be issued on the approval by the board of state prison com-
6 missioners of the claim of the person having charge of the transportation
7 of any such convict. The expense of transporting convicts shall be paid
8 out of the appropriation for the support of the state prison.
9 2. Upon being notified by the county clerk of any county in this state
10 that a person or persons are being held under commitment to the state
11 prison, the warden shall immediately send an officer or officers with
12 authority to transport the convict from the place of commitment to the
13 state prison.
14 [3. The expense of keeping, caring for, and maintenance of every
15 person ordered committed to the state prison shall, after 5 days' notice
16 to the warden, be a charge against the state prison.]
17 SEC. 2. NRS 209.230 is hereby amended to read as follows:
18 209.230 1. The expenses to be paid under NRS 209.220 shall be [:
19 1. The] *the* actual expenses of the officer in charge of the convict or
20 convicts in traveling to and from the state prison.
21 2. [The necessary expense of transporting the convict or convicts,
22 and the sum of \$5 per diem to the officer in charge; but in all cases where
23 an appeal shall have been sustained by the supreme court, further trans-
24 portation of the convict or convicts shall be at the expense of the county

Original bill is 2 pages long.
Contact the Research Library for
a copy of the complete bill.

Do pass.

S. B. 68

SENATE BILL NO. 68—COMMITTEE ON HEALTH, WELFARE
AND STATE INSTITUTIONS

JANUARY 23, 1973

Referred to Committee on Health, Welfare and State Institutions

SUMMARY—Repeals licensing requirements for marketing blind-made products or soliciting contributions for benefit of blind persons. Fiscal Note: No. (BDR 38-64)



EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT to repeal NRS 426.750 to 426.785, inclusive, relating to licensing requirements prior to the retail sale of goods or products as blind-made products, and prior to the solicitation of contributions for the benefit of blind persons.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

1 SECTION 1. NRS 426.750, 426.755, 426.760, 426.765, 426.770,
2 426.775, 426.780 and 426.785 are hereby repealed.

29