

Senate

HEALTH, WELFARE AND STATE INSTITUTIONS

April 18, 1973

Minutes of Meeting # 27

Committee members present: Chairman Lee E. Walker
Senator Young
Senator Herr
Senator Drakulich
Senator Raggio

See Exhibit "A" for list of interested citizens present.

Chairman Walker called the meeting to order at 7:20 p.m.

A.B. 959: Enacts the Nevada Mental Health and Mental Retardation Law.

Dr. Chuck Dickson stated that the intent of the bill is to make sure that patients and clients have their rights guaranteed. It is to aid the courts in having a broader range of commitments, so that clients could occasionally be committed to out-patient services as well as in-patient services. This is a concept of least restrictive care. Most of the bill is reorganization of existing statutes. Dr. Dickson made reference to Section 54, Page 9, stating that they feel that if they pay clients that work in the institution, they should not be charged that same money for their care. Dr. Dickson indicated the reasoning behind deleting Section 56, Page 10 is that it is such a controversial issue that the whole bill would be defeated because of that Section. Under Section 67, Pages 13-15, they would have three types of admissions: 1. voluntary admission can be released when he requests; 2. a seven-day - if the D.A. wants to hold someone, they can hold him up to seven days without a court admission; 3. court admission. They are concerned with the language in this section, and they also wanted to go with the voluntary admission section - so that a person could get out when he wanted to. They do want this condition in the bill.

Senator Herr questioned Section 66, Page 13, Line 21 which states that the medical director may be a physician in private practice. Dr. Dickson stated that they do not have the funds for a full time medical director in Henderson as like many of the small rural area. They would want the language to allow them to have a medical director on a part-time basis.

Senate

Health, Welfare and State Institutions

April 18, 1973

Page Two

Suzanne Bryant, Mental Hygiene, stated that if an individual wants to be admitted, you can hold them for 48 hours. If you do petition for a court hearing, you can hold them further for seven more days.

Senator Herr commented on the fiscal impact and was advised by Dr. Dickson that there is no fiscal impact. The nearest thing in here now having fiscal impact is the guarantee of minimum wage, and they are going to make sure that they can handle that within their budget. The persons who work at the institute now are being paid by the Division of Rehabilitation. They are getting about \$150,000 for new workers.

Senator Young commented that this bill is too important to pass without an interim study.

After further discussion, this bill was tabled, to be rescheduled for the next meeting.

A.B. 127: Extends immunity from tort liability for emergency care to ambulance drivers and attendants.

Senator Walker brought to the committee's attention the fact that the amendments to this bill, when passed, omitted provisions for federal government employees, specifically Nellis Air Force Base ambulance drivers. He asked the committee's approval to draft a new bill which would cover this omission. Committee agreed.

S.B. 421: Applies cosmetology regulation to certain related occupations.

Senator Herr moved to rescind the action previously taken on S.B. 421, which was killed.

Dorothy Feeney, Cosmetologist, spoke as a witness and again explained this bill. She stated that cosmeticians or those who apply make-up in a cosmetologist school or establishment should be licensed by the cosmetology board.

Senator Walker asked that she and her attorney write up an amendment which would clarify the definitions herein and return it to the committee for approval.

They did so and Senator Herr moved for "Do Pass", as amended, seconded by Senator Young, the motion was so carried.

Refer to Exhibit B for detail of amendments as passed.

Senate

Health, Welfare and State Institutions

April 18, 1973

Page Three

A.B. 239: Requires counties to compensate physicians on staffs of county hospitals for care of indigents and deletes requirement for rotation of staff.

Mr. John Meder, Nev. Assn. of County Commissioners, stated that he is strongly opposed to this bill. This seems to be a situation between the doctors and Washoe County. The other counties should not have to suffer because of their differences.

Senator Herr remarked that this is a left field bill as far as the small counties are concerned.

Dr. Robert Miles, Chief of Staff, Washoe Medical, indicated his support of the bill. Further stating that 7% of the patients at Washoe Med. are indigent, and this would guarantee the care of those indigent patients.

Senator Raggio asked if there were any doctors that were excluded from this and was informed by Dr. Miles that they are excluded only after they have quit the staff at Washoe Med. Dr. Miles further stated that the small counties pay for indigent care. Senator Raggio asked why it was that all the counties pay the doctors for this care and not at Washoe.

Dr. Miles commented that other counties are sympathetic and understanding of the commissioners.

Dr. Miles stated, in reply to Senator Raggio, that they cannot say what the cost would be.

Senator Herr stated that they could not vote on this if the cost is unknown.

Dr. Miles stated that once it was determined that a patient was indigent, he was put under a county medical service, or doctor's care. From there, care was given on a rotation basis by the staff doctors. Dr. Miles commented that he would care for the indigent if he gets paid for these services.

A.B. 370: Requires practitioners in healing arts to release results of diagnostic tests to patients.

Dr. Miles furnished the committee with a copy of a letter from John P. Sande, M.D. (See Exhibit "c") which urges "Do Kill" on this bill. If this bill is passed, it would increase the anxiety problem, and will add the burden of additional paper work for the doctors which would take their time away from their patients.

Dr. O. W. White stated that this is a violation of the physician's right.

Senator Walker called a short recess, being only Senator Drakulich and himself present: 8:45 a.m.

Senate

Health, Welfare and State Institutions
April 18, 1973
Page Four

The meeting reconvened at 9:45 a.m.

Senators Young, Walker, Swobe and Herr present.

AB 870, cont' ..

Senator Herr moved for a "Do Kill" on SB 870,
Seconded by Senator Young, the motion was so carried.

AB 239, cont'...

Senator Herr moved "Do Kill" on AB 239. Senator
Drakulich seconded the motion, and it was so carried.

AB 891 Enacts Family Planning and Population Act
Research Act.

Assemblywoman Jean Ford and Ms. Donna Dixon
were witnesses on this bill, Ms. Ford explaining that
AB 119 (previously repealed) was the first version of
this bill, AB 891 being an amended version, since federal
funds were not forthcoming for the Population Research Act
Bureau at the time of its repeal two years ago.

She explained that what this bill does, is simply
get in the law, the state's intent to get involved in
the business of family planning. Thus, they are accepting
funds from the federal government for establishment of
family planning clinics, through the Health and Welfare Department.
She pointed out and emphasized line 14, on page 1 --
"The resolutionshould be based on voluntary action .."
it is not an attempt to railroad any kind of action through
this committee. As of now, there is nothing available
through state sanction, in the area of family planning.
She noted section 4, page 1, which states the intent
of this bill.

Senator Walker asked what the real thrust of this
bill was, and Ms. Ford explained that it was to, in effect,
avoid federal mandate - establish such services on our
own volition, rather than waiting to be told to do so.
As far as fiscal impact, she explained that there was
none, since the job could be accomplished with the
present staff available, and the monies coming in from
the federal agencies.

Asked if this bill would mandate all departments

Senate

HEALTH, WELFARE AND STATE INSTITUTIONS
MINUTES OF MEETING # 27
APRIL 18, 1973
PAGE 5

AB 891, cont'

within the state who were remotely connected to adopt this structure, Ms. Ford replied 'no'. This bill simply assists in information exchange, and lines of clarification. She stated that, for example, in the rural areas, there was absolutely no lines of communication for information exchange - that it was not even made public that such services were available from area to area.

When asked about the budget, Ms. Dixon stated that there was to be \$127,000.00 - with the state matching the federal funds at a ratio of 1 to 10. She emphasized the importance of state involvement in this program. Idaho contributed last year, \$2,000,000.00 to their program. Nevada has only committed \$5,000.00 as of this year. Now it is required under HR I.

Senator Walker commented that there should be some means of control here, to guarantee the quality of the program's performance.

Ms. Dixon stated that she thought we should start by coordinating this program - she has laid the initial groundwork - rather than concentrate so much on money. When the initial groundwork has been done, then a coordinator should be hired to handle this.

Objections to the contents of SB 311 (teenage contraceptive bill) were taken care of by Section 4, on page 1.

It was decided to amend this bill by deleting Section 2, and 3, on page 1.

Senator Young moved for a "Do Pass as amended", Senator Herr seconded the motion, and it was so carried. Senator Drakulich did not vote on this measure.

AJR 42 - Memorializes Congress to extend and increase federal funding for Veteran's nursing homes.

On motion duly made, seconded, and unanimously carried, AJR 42 received a "Do Pass".

Senate

HEALTH, WELFARE AND STATE INSTITUTIONS
MINUTES OF MEETING # 27
APRIL 18, 1973
PAGE 6

The meeting was adjourned at 10:15 a.m.

Respectfully submitted,


Jo Ann N. Hughes, Secretary

APPROVED:

Lee E. Walker, Chairman

EXHIBIT

Meeting # 27
Agenda

INSTITUTIONS Room 345

Print Plainly

PLEASE

NOTE: If you plan to testify and have printed matter for the committee, please give a copy to the secretary before you begin your testimony. A total of 10 copies are needed. Thank you.

NAME	DEPARTMENT AND POSITION OR TITLE	TELEPHONE	CHECK ONE PLEASE	
			(v) WITNESS	(v) Observer
1 SUZANNE BRYANT	MENTAL HYGIENE + RETARD	322-6961	<input checked="" type="checkbox"/>	
2 JACK MIDDLETON	" " "	784-6341		
3 CHUCK DICKSON, PAD	" " "	784-6433		
4 R.J. Cavell MD	New State Med Assoc	322-4574	<input checked="" type="checkbox"/>	Bill # 239 870
5 R.K. Myles MP	Washoe Medical Center	329-3106	<input checked="" type="checkbox"/>	239 870
6 Jean Myles	wife of above	"		<input checked="" type="checkbox"/>
7 O.W. White D.	New State Bd. Osteopathy	887-1043	<input checked="" type="checkbox"/>	
8 Mary Hensch	Review Journal			<input checked="" type="checkbox"/>
9 MIKE MELNER	DEPT. ^{DIRECTOR} OF COMMERCE	7366	<input checked="" type="checkbox"/>	53 421
10 Dorothy Feeney	Cosmetology	747-2124	<input checked="" type="checkbox"/>	53 421
11 JOHN MEDER	NEW ASSOCIATION OF COUNTY COMMISSIONERS			AB 239
12 Opille A. Waldenbrock	Dept of H-W-R	7593		<input checked="" type="checkbox"/>
13 Nelson B. Neff	NEV. ST. MED. ASSN (EX. DIR)	825-6788		<input checked="" type="checkbox"/>
14 Donna Difer	New State Public Health + Planned Parenthood			
15 Jean Ford	assembly woman		<input checked="" type="checkbox"/>	871
16				
17				
18				

EVILIRYMAN

OVER

PROPOSED AMENDMENTS TO S.B. 421

Page 1 - Delete Lines 4 and 5. Substitute: "Cosmetician" means any person who, for compensation, or the price of the cosmetics used applies cosmetics as a part of any complete facial beautification process.

Page 1 - Delete Lines 11 and 12. Substitute: "Cosmetologist" means any person who engages in the practice of cosmetology. Those persons licensed only as cosmeticians, manicurists, or electrologists under other provisions of this statute, although performing certain cosmetological services, are not cosmetologists for the purpose of this statute.

Page 2 - Delete Lines 19 to 27.

Page 10 - ^{Change} as follows: (f) Be required each 2 years to take a course of at least 30 hours' duration in advanced teacher-training techniques.

(g) Be permitted to place his active license on inactive status until such person returns to active status.

NRS 644:473 is hereby repealed.

27 - 4-18-73

S.B. 421

Exhibit B

NEVADA
STATE
MEDICAL
ASSOCIATION

3660 BAKER LANE • RENO NEVADA 89502 • TELEPHONE (702) 825-6788

JOHN P. SANDE, M.D., President
THOMAS K. HOOD, M.D., President-Elect
JOHN W. CALLISTER, M.D., Secretary-Treasurer
WILLIAM D. O'GORMAN, M.D., Immediate Past President
HUGH C. FOLLMER, M.D., AMA Delegate
C. NORMAN CHRISTENSEN, M.D., AMA Alternate Delegate
NELSON B. NEFF, Executive Director

Chairman and Members
Senate Committee on Health,
Welfare, and State Institutions
NEVADA STATE LEGISLATURE
Carson City, Nevada 89701

Dear Senators:

The Nevada State Medical Association is not in favor of the passage of A.B. 870 regarding the release of medical records to patients. At the present time a patient may have his records transferred to another physician by merely signing a release form. An attorney may also obtain copies of patient records by securing the permission of the patient or by the use of a subpoena.

In our opinion, the release of records directly to patients could cause considerable problems where serious illness such as advanced malignancy is involved. Many patients would be unable to confront the realities of their health condition and still carry on the day-to-day functions of their normal lives. Any patient who voluntarily visits another physician with his complete medical history would be suspected of being somewhat unusual and a "shopper." There appears to be no significant value in releasing medical records to the patient.

Futhermore, how many patients would be able to intelligently interpret the highly sophisticated tests that are essential to good patient care and which can be evaluated only by a skilled practitioner?

I urge your committee to kill this proposed legislation.

Sincerely,



JOHN P. SANDE, M.D.
President

27 - 4-18-73

AB 870

Exhibit C

4-18

Do Pass as amended

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

S. B. 421

SENATE BILL NO. 421—COMMITTEE ON HEALTH,
WELFARE AND STATE INSTITUTIONS

MARCH 12, 1973

Referred to Committee on Health, Welfare and State Institutions

SUMMARY—Applies cosmetology regulation to certain related occupations.
Fiscal Note: No. (BDR 54-1409)

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

AN ACT relating to cosmetology; providing additional definitions; applying regulations to certain related occupations; 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 644.020 is hereby amended to read as follows:
2 644.020 As used in this chapter:
3 1. "Board" means the state board of cosmetology.
4 2. "*Cosmetician*" means any person who, for compensation, or the
5 price of the cosmetics used applies cosmetics as a part of any complete
6 facial beautification process.
7 3. "*Cosmetological establishment*" or "*wig stylist salon*" means any
8 premises, building or part of a building whereon or wherein any branch
9 or any combination of branches of cosmetology, or the occupations of
10 [a hairdresser and cosmetician] *cosmetologist and wig stylist* are prac-
11 ticed.
12 4. "*Cosmetologist*" means any person who engages in the practice of
13 cosmetology. Those persons licensed only as cosmeticians, manicurists, or
14 electrologists under other provisions of this chapter, although performing
15 certain cosmetological services, are not *cosmetologists* for the purpose of
16 this chapter.
17 [3.] 5. "Cosmetology" shall be construed to include any branch or
18 any combination of branches of the occupation of a [hairdresser and
19 cosmetician,] *cosmetologist* and any branch or any combination of
20 branches of the occupation of a cosmetician, or [cosmetologist,] *wig*
21 *stylist* or beauty culturist, which are now or may hereafter be practiced,
22 and is defined as the following practices:
23 (a) Arranging, *weaving*, dressing, curling, waving, cleansing, singeing,
24 bleaching, tinting, coloring or straightening the hair of any person or *wig*

4-18

Do Kill

A. B. 870

ASSEMBLY BILL NO. 870—MESSRS. McNEEL AND ULLOM

MARCH 28, 1973

Referred to Committee on Health and Welfare

SUMMARY—Requires practitioners in healing arts to release results of diagnostic tests to patients. Fiscal Note: No. (BDR 54-1878)

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

AN ACT relating to diagnostic tests performed by or for practitioners of the healing arts; requiring that such tests be released to the patient if he pays fees for such tests; providing a penalty; 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. Chapter 630 of NRS is hereby amended by adding
2 thereto a new section which shall read as follows:
3 1. *If requested, any practitioner licensed under the provisions of*
4 *this chapter shall release to a patient the results of X-rays, blood tests*
5 *or any other diagnostic tests performed by or on behalf of such prac-*
6 *titioner in examining, diagnosing or treating such patient.*
7 2. *The practitioner need not release the results of such tests as*
8 *provided in subsection 1 until the patient satisfies all debts that may be*
9 *owed to the practitioner for such tests.*
10 3. *Any person who violates the provisions of subsection 1 is guilty of*
11 *a misdemeanor.*
12 SEC. 2. Chapter 631 of NRS is hereby amended by adding thereto a
13 new section which shall read as follows:
14 1. *If requested, any practitioner licensed under the provisions of this*
15 *chapter shall release to a patient the results of X-rays, blood tests or any*
16 *other diagnostic tests performed by or on behalf of such practitioner in*
17 *examining, diagnosing or treating such patient.*
18 2. *The practitioner need not release the results of such tests as pro-*
19 *vided in subsection 1 until the patient satisfies all debts that may be owed*
20 *to the practitioner for such tests.*
21 3. *Any person who violates the provisions of subsection 1 is guilty of*
22 *a misdemeanor.*
23 SEC. 3. Chapter 633 of NRS is hereby amended by adding thereto a
24 new section which shall read as follows:

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

523

4-18

Do Kill

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 239

ASSEMBLY BILL NO. 239—MR. BROADBENT

FEBRUARY 8, 1973

Referred to Committee on Government Affairs

SUMMARY—Requires counties to compensate physicians on staffs of county hospitals for care of indigents and deletes requirement for rotation of staff. Fiscal Note: No. (BDR 40-851)



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

AN ACT relating to county hospitals; deleting requirement for rotation of staff physicians; deleting prohibition on compensation for physicians treating indigent patients; 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 450.440 is hereby amended to read as follows:
- 2 450.440 1. The board of hospital trustees shall organize a staff of
- 3 physicians composed of every regular practicing physician in the county in
- 4 which the hospital is located who meets the standards fixed by the rules
- 5 and regulations laid down by the board of hospital trustees.
- 6 2. The staff shall organize in a manner [prescribed] *approved* by the
- 7 board [so that there shall be a rotation of service among the members of
- 8 the staff to give] *to provide* proper medical and surgical attention and
- 9 service to the indigent sick, injured or maimed who may be admitted to
- 10 the hospital for treatment.
- 11 3. [No member of the staff nor any other physician who attends an
- 12 indigent patient shall receive any compensation for his services except as
- 13 otherwise provided in NRS 450.180 or to the extent that medical care is
- 14 paid for by any governmental authority or any private medical care pro-
- 15 gram.]

Ⓢ

524

Original bill is on file at
the Research Library.

4-18

Do Pass as
Amended

(REPRINTED WITH ADOPTED AMENDMENTS)

SECOND REPRINT

A. B. 891

ASSEMBLY BILL NO. 891—MESSRS. BENNETT, CRADDOCK,
MRS. FORD AND MR. CRAWFORD

MARCH 29, 1973

Referred to Committee on Health and Welfare

SUMMARY—Enacts Family Planning and Population Research Act.
Fiscal Note: No. (BDR 40-2025)

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

AN ACT relating to the administration of public health; enacting the Family Planning and Population Research Act; providing duties and responsibilities for its administration; 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. Chapter 439 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 to 8, inclusive, of this act.
3 SEC. 2. *Sections 2 to 8, inclusive, of this act may be cited as the*
4 *Family Planning and Population Research Act.*
5 SEC. 3. (Deleted by amendment.)
6 SEC. 4. *It is the purpose of sections 2 to 6, inclusive, of this act to:*
7 1. *Assist in making comprehensive voluntary family planning services*
8 *readily available to all persons desiring such services, except that a minor*
9 *shall have the prior consent of a parent, guardian or person in loco*
10 *parentis, unless such minor is married or otherwise emancipated;*
11 2. *Coordinate domestic population and family planning research with*
12 *the present and future needs of family planning programs;*
13 3. *Improve administrative and operational supervision of domestic*
14 *family planning services and of population research programs related to*
15 *such services;*
16 4. *Encourage public and nonprofit private entities to plan and*
17 *develop comprehensive programs of family planning services;*
18 5. *Develop and make readily available information, including educa-*
19 *tional materials, on family planning and population growth to all persons*
20 *desiring such information;*
21 6. *Evaluate and improve the effectiveness of family planning service*
22 *programs and of population research;*

4-18

Do Pass

A. J. R. 42

ASSEMBLY JOINT RESOLUTION NO. 42—COMMITTEE
ON EDUCATION

APRIL 5, 1973

Referred to Committee on Health and Welfare

SUMMARY—Memorializes Congress to extend and increase federal
funding for veterans' nursing homes. (BDR 2177)



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

ASSEMBLY JOINT RESOLUTION—Memorializing Congress to extend and
increase federal funding for veterans' nursing homes.

- 1 WHEREAS, The need for veterans' nursing homes is particularly acute
2 in the wake of the Vietnam conflict; and
3 WHEREAS, Such veterans' nursing homes cannot feasibly be constructed
4 and operated without the assistance of federal funds; and
5 WHEREAS, Senate Bill 59, currently pending before Congress, will
6 extend P.L. 88-450 funding for veterans' nursing homes as well as
7 increase the amount of such funding; now, therefore, be it
8 *Resolved by the Assembly and the Senate of the State of Nevada,*
9 *jointly,* That the legislature of the State of Nevada hereby respectfully
10 memorializes the Congress and President of the United States to approve
11 Senate Bill 59 of the current session of Congress; and be it further
12 *Resolved,* That copies of this resolution be prepared and transmitted
13 by the legislative counsel to the President of the United States, the Vice
14 President of the United States as presiding officer of the Senate, the
15 Speaker of the House of Representatives, all members of the Nevada
16 congressional delegation, Senator Vance Hartke and Representative
17 William J. Dorn.

90

Original bill is on file at
the Research Library.

585-