

SENATE COMMITTEE ON
HEALTH, WELFARE AND STATE INSTITUTIONS
MINUTES OF MEETING # 22
APRIL 6, 1973

The meeting convened at 7:20 a.m.

Senator Walker in the Chair.

PRESENT: Senators Young
Swobe
Neal
Drakulich
Raggio

Other interested citizens, list of which is hereto attached at Exhibit A.

AB 761 Requires continuing education for optometrists.

Dr. Carl Larson, President, Nevada Optometrists' Association, testified on this bill, urging the committee to ratify same.

Senator Raggio moved for "Do Pass", Senator Swobe seconded the motion, and it was so carried.

AB 789 Revises certain powers of Nevada state board of optometry and declares certain acts as unprofessional conduct.

Dr. Robinson, Assemblyman and sponsor of the bill testified on this bill, as per contents of Exhibit B, hereto attached. The point of controversy is that it allegedly restricts competition in the field of optometry. Refer page 3, subsection 11, which reads "Practicing in or on premises ... where a commercial or mercantile business is being conducted not exclusively devoted to optometry or other health care professions" - (shall constitute unethical or unprofessional conduct). Dr. Robinson maintained that mass production of eye examinations and glasses tends to lessen quality of same.

Dr. Kanellos supported this testimony, stressing the fact that discount outlets have very poor quality in their

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AB 789, con't.

mass-produced eye care products, such as those connected with chain store operations, in environments which would make it impossible to deliver professional type eye care. Further, that this was a ridiculous way to try to deliver professional service to the public. Documented proof supported this contention.

Senator Walker inquired of the rules regarding advertising, to which Dr. Robinson replied in the affirmative - stating that by rule, optometric advertising was limited to the use of professional business cards.

Senator Raggio asked if these restrictions would, under this bill, apply to the other eye care specialists, to which he replied 'no'.

The question of cost was brought up, Mr. Robinson explaining that getting a pair of eye glasses at a cheap price was of no great value when said glasses did not perform the job they were designed to perform, or if misdiagnosis of an eye disease was made, and said disease progressed undetected - ultimately, blindness could possibly be the result.

The question of constitutionality was raised at which time Mr. Robert McDonald, attorney representing the Nevada Optometry Association, took the stand. He stated that in his opinion, there was no problem with this point, and that these people should be commended for their efforts to maintain a high standard in their profession.

The question of servicing the outlying areas arose, for example, Tonapah, which is visited by Dr. Davis two - three times per month, seeing patients in a motel room. Senator Walker asked if Dr. Davis could be precluded under subsection 11. of this bill, to which Mr. McDonald replied "could very well be." It was made clear that there was no intent to discontinue servicing these outlying areas...that, in fact, said service was rendered at cost to the optometrist, since most patients were elderly or disabled. It was noted that the interest of optical companies who were proponents of this bill was totally for profit. Dr. Robinson stated that this was in fact, what he was trying to avoid here in Nevada.

Senator Walker asked for testimony of from the opponents, at which time Mr. Robert, G. Markey, counsel for the National Association of Optometrists and Opticians, took the stand.

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AB 789, con't:

Mr. Markey stated that he was addressing himself only to section 8 of this bill, and proposed subsection 11 of NRS 636.300. He questioned how the public health, safety and welfare could possibly benefit by this particular amendment. He submitted that it is not where a man practices optometry that determines the quality of the services, ...but rather how he practices. Further, contention that this bill was proposed by a small group of optometrists who were economically orientated, and whose 'ethics' were founded upon economic bases. For verbatim detail of this testimony, refer to Exhibit C, hereto attached.

Discussion followed, with Mr. Markey refuting previous points stated thus: that Nevada was one of the most restrictive states (regarding NRS and rules and regulations of optometry board) as to curtailing competition and consequently cost factors - Illinois, for example, has a 40% less charge for same eye care; that a misprescribed lense (since optometrists were not allowed to dispense drugs or perform surgery) could not cause the damage alleged by Dr. Robinson; that locations in department stores, etc., made eye care more accessible to the public, as well as cutting the cost factors considerably.

Senator Walker inquired about the constitutionality of this bill, in his (Mr. Markey's opinion; Mr. Markey cited supreme court case Norr vs. Easton Preston - an anti-trust case, which permits this kind of restricted lobbying outside of the anti-trust laws. Lee vs Willaimson - a land-mark case, further supports this. He named 11 states which prohibit this kind of law.

In conclusion, Mr. Markey stated that this bill did not govern ethics - rather, economics. This bill is a prime example of the creeping paralysis which we have seen come through the optical industry to further restrict and inhibit competition in this area.

Mr. Mike Melnor, state commerce director, stated that the consumer affairs division opposes this bill. He stated that the respective licensing boards could supervise the quality of prescriptions dispensed through department stores, etc., and could police them in a manner to guarantee safety of the public. He stated that there was great concern that this was anti-consumer anti-competitive legislation.

Senator Blakemore testified on behalf of of the population of rural areas, expressing concern that service to

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AB 789, con't.

said areas would be impaired or destroyed. On these grounds, he opposed this bill. Mr. Roberts, editor of the Reese River Reveille, testified also, expressing the same concern as those of Senator Blakemore.

Among other witnesses opposing this bill were Pat Bembet, Consumers' Service League, Patricia Van Betten Harriette Trudell, Elinor Christner, Faye Calen, Mr. Pete Kelly, Nevada Retail Association, Mr. Tate, Nevada Blind Association.

Discussion continued.

Having concluded, Senator Swobe moved for "Do Pass" on AB 789, Senator Raggio seconded the motion, and it was so carried.

SB 435: Clarifies responsibility for federal problems relating to welfare and assistance. Mr. Wahrenbrock testified on the next several bills. Senator Swobe moved "Do Pass", Senator Neal seconded the motion, and it was so carried.

AB 187: Puts foster homes under exclusive licensing authority of Welfare Division of Health, Welfare and Rehabilitation.

Senator Neal moved for "Do Pass", Senator Swobe seconded, and the motion was so carried.

AB 373 Revises licnesing provisions for health and care facilities and administrators of certain such facilities.

Mr. Logan requested several minor amendments on this bill, which were as follows:

PAGE 2 - line 18 ..."Skilled nursing facility"... and
line 24 ...suggested deletion, since prohibitive
to growth.
line 35 ...delete "individuals' and insert "licensed
beds"...

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AB 373, con't:

Amendments, continued... (Mr. Brown supporting)

PAGE 3

line 11 through 13 ..words 'in trust for that resident'.. payments were always made after the fact, therefor incongruous. --it was pointed out that the state does not pay in advance ...therefore that suggestion dropped.

line 35 ..."and health supervision ..." should be stricthen, since no one in these facilities should require such care. Delete, to agree with section 4.

PAGE 7

line 12 & 13 ...add "inspections as related to sections 18 & 19 -- this to facilitate inspection by one agency all at the same time, or simultaneously.

PAGE 10

Line 6... objected, -- wants deletion, to eliminate restriction.

line 16...delete this section, as it conflicts with SB 578. -- (section 41).

Senator Swobe moved for "Do Pass" - Senator Drakulich seconded, motion so carried.

AB 578

Changes qualifications required for certain members of Nevada State Board of Examiners for Nursing Home Administrators.

Mr. Wahrenbrock informed the committee that the administration supports the original draft of the bill, but not the first reprint, since the reprint will not meet federal regulation requirements.

Senator Swobe moved for "Do Pass", Senator Drakulich seconded, and motion was so carried, as amended (deletion of assembly amendments).

SB 485

Expands area of examination for hairdressers and cosmeticians.

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SB 485, con't

It was pointed out that SB 485 was the same as SB 592, which had been passed. The chairman asked for all those in favor of killing SB 485. There was thus duly carried, a motion to "kill" SB 485.

SB 421 Applies cosmetology regulation to certain related occupations.

Mr. Gray, Nevada Barbers' Association testified, suggested the following: (refer Exhibit D, hereto attached).

PAGE 2 (also page 6, line 28)

line 1 ...this would allow 6,000 additional barbers therefore, oppose this. Favor 644.473.... prefer to go by this.

Mr. Ken Chetty, cosmetologist representative, stated that their attorney could not be here. Therefore, asked the committee to withhold further hearing.

However, Mr. Frank McCormick & Ms. Dorothy Phinney were present, who took the stand together with Mr. Joe Midmore.

Mr. Gray still demanded that the professions remain separate, and Senator Drakulich and Senator Herr still maintained that one should have the freedom to go to whomever they please.

Ms. Phinney still demanded the right to cut whatever hair the cosmetologists were qualified to cut. Both agreed on the educational qualifications - or that they must be met.

There was no action taken on SB 421.

SB 366 Provides cash assistance to needy children.

Senator Drakulich goes on record as opposing SB 366.

Senator Raggio moved for a "Do Pass with referral to Finance Committee", Senator Swobe seconded, and motion so carried.

AB 394 Permits foster care payments to relatives on behalf

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AB 394, con't

of children in legal custody of welfare division.

Senator Raggio expressed concern that this would be abused.

Discussion followed,

Senator Young moved for "Do Pass with referral to Finance Committee", Senator Raggio seconded, and it was so carried.

AB 724 Requires notice and hearing where child is placed in custody custody of welfare division.

Senator Young moved for "Do Pass" - Senator Drakulich seconded, and and the motion was so carried.

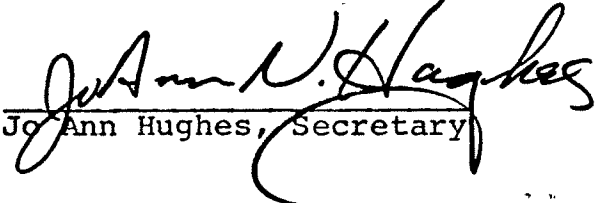
Mr. Caden, activist in the Health Food movement, requested bill be drafted or desires a model act regarding natureology, which would give consumer the facts and proper advice on nutrition.

Senator Walker was handed a copy of said proposal.

In conclusion, the chairman suggested that the advocates of bills AB 592, AB 278, and SB 241 reach a conclusion after having re-worked to the committee's satisfaction, the contents of said bills.

The meeting adjourned at 10:56 a.m.

Respectfully submitted,


Jo Ann Hughes, Secretary

APPROVED:

Lee Walker, Chairman

EXHIBIT 7

Meeting
Agenda

INSTITUTIONS

Room 345

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.

Print Plainly

NAME	DEPARTMENT AND POSITION OR TITLE	TELEPHONE	CHECK ONE PLEASE	
			(v) WITNESS	(v) Obsc
1 ✓ Larry E. Gregerson O.D.	Optometrist	283-3722	Bill # 789	✓
2 ✓ William N. Warren O.D.	OPTOMETRIST	642-2770	789	✓
3 ✓ H. N. Krumm, O.D.	OPTOMETRIST	385-2140	789	✓
4 ✓ L. J. Zimm O.D.	"	323-1730	789	✓
5 ✓ RAY E. EHRGOTT	BARBER	359-4854	789 RELATED	✓
6 ✓ GARY E. ARETZ O.D.	OPTOMETRIST	329-1331	789	✓
7 ✓ William Brantley O.D.	Optometrist	329-2985	789	✓
8 ✓ Harold B. Clark O.D.	optometrist	358-7921	789	✓
9 ✓ Albert J. Demers O.D.	OPTOMETRIST	358-1317	789	✓
10 ✓ Marvin Sedney	Optometrist	384-9414	789	✓
11 ✓ Underwood	STATE COMMERCE DIRECTOR	882-7355	789	✓
12 ✓ ROBERT G. MARLEY	NAT'L ASSN OF OPTOMETRISTS & OPTICIANS, INC - GENERAL COUNSEL	216-646-3311 702- 385-2188	789	✓
13 ✓ ROBERT FAISS	LSCTW	736-4454	789	✓
14 ✓ HARRIET TRUDELL	CONSUMERS LEAGUE OF NEV.	736-4454	789	✓
15 ✓ ROGER MATEOSSIAN O.D.	OPTOMETRIST	358-1737	789	✓
16 ✓ Samuel W. Carpe O.D.	Optometrist	384-5353	789	✓
17 ✓ W. G. VAN PATTEN	optometrist	882-3806	789	✓
18 ✓ William Roberts	Central Nevada Newspapers	482-6712	789	✓

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Print Plainly

NAME	DEPARTMENT AND POSITION OR TITLE	TELEPHONE	CHECK ONE PLEASE	
			(v) WITNESS	(v) Observer
1 Melissa Cobb	Title XIV - Welfare Division	882-7581	<input checked="" type="checkbox"/>	Bill #B578
2 Frank McCormick	LEGISLATIVE CHAIRMAN HAIRDRESSERS ASSN.	382-6737	<input checked="" type="checkbox"/>	SB 421
3 Dorothy Feeney	State Board of Cosmetology Vice Pres.	382 6533	<input checked="" type="checkbox"/>	SB 421
4 Fay B. Cole	Clark County Committee on Consumers League of Nevada	452-1958	<input checked="" type="checkbox"/>	AB 789
5 Minor Christine	Consumers League of Nevada	642-5081	<input checked="" type="checkbox"/>	AB-789
6 Patricia van Betten	Consumers League of Nevada	735-7436	<input checked="" type="checkbox"/>	AB 789
7 Gloria Hensley	Chief Family & Children's Services Helpline Program	882-7412	<input checked="" type="checkbox"/>	AB 187
8 Dr. E. V. Lundblom	Optometrist - Henderson, Nev	565-2400		AB 789
9 Dr. Joel G. Adler	" Las Vegas	735-6000		AB 789
10 DR. PETER VEVEZ	OPTOMETRIST, CARSON CITY	882-6413		AB 789
11 Dr. J. Soumbeniotis	optometrist, RENO	329-5663		AB 789
12 Dr. Thomas J. Tibbels	OPTOMETRIST, CARSON CITY	882-5563		AB 789
13 Max P. Davis OD	Optometrist, Las Vegas	878 5547		AB 789
14 R. E. Robinson, OD	" "	382-3466		AB 789
15 Dr. M. P. Russell	" "	3220635	<input checked="" type="checkbox"/>	AB 789
16 W. C. Kneelke	Optometrist, Reno	329-1356	<input checked="" type="checkbox"/>	AB 789
17 JOSEPH M. KADANS	GEN. COUNSEL INTERNATIONAL NATUROPATHIC ASSOCIATION	648-5889	<input checked="" type="checkbox"/>	NATUROPATHY
18 Dr. R. C. PILSNER	President - NEVADA CHAPTER	382-1179	<input checked="" type="checkbox"/>	"

EXHIBIT 1

Meeting
Agenda

INSTITUTIONS Room 345

Print Plainly

NOTE: If you plan to test 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 For Bills	(v) Obs.
1 Karl M. Larsen	Pres. Nev. St. Opt. Assn	642-5900	<input checked="" type="checkbox"/>	
2 Dr. Lonnie Sisson	CHAIRMAN of South Nevada Council NEV. STATE OPT. ASSOC.	384-9414 642-8344		
3 Dr. David P. Smith	Sec-Treas Nev. State Optometric Assoc.	735-3630		X
4 John Tate	MANAGER OF BLIND CENTER VEGAS	784-3892	<input checked="" type="checkbox"/>	
5 Audrey Tate	MANAGER OF BLIND CENTER LAS VEGAS	784-3892	<input checked="" type="checkbox"/>	
6 Etha Council	MANAGER OF BLIND CENTER LAS VEGAS	648-1074	<input checked="" type="checkbox"/>	
7 Lellie Peppers	Nebraska Citizen	882-1453		
8 Patricia Stewart	Nevada Citizen	747-3853		
9 Don Bowers	Editor	852-1748		X
10 Kenneth R. Shaddy	Barber	878-3563	<input checked="" type="checkbox"/>	
11 Dan Gray	Barber	602-1451	<input checked="" type="checkbox"/>	
12 Louis M. Mc Lane	Barber	747-4263		
13 Howard Sanderson	LEG. REP. NEV. STATE BARBER ASSOC.	323-5000		
14 Helen Schumacher	Cosmetologist	825-3533 AB 287		X
15 Luita Stephens	Cosmetologist	972-7405		X
16 Lyla Purcell	Cosmetologist	358-4244		X
17 Charles Azumate	Cosmetologist	972-1527	<input checked="" type="checkbox"/>	
18 Arnold Almond	Cosmetologist	358-3884		

CHECK ONE PLEASE

(v) WITNESS For Bills Bill #761

(v) Obs.

Bill #761

789

761

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AB 592
AB 287
30 421-485

10 582
40. 287
26 421

AB 287-57483
AB 287

38481

AB-287-115872
58421-58481

A 13287

AB 287

AB 287

AB-287
AB-372
421

58421

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421

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

Print Plainly

NAME	DEPARTMENT AND POSITION OR TITLE	TELEPHONE	CHECK ONE PLEASE	
			(v) WITNESS	(v) Observer
1 Theresa Buchanan	Cosmetologist	329-7070		Bill # 593 287 ✓
2 John Janoski	Cosmetologist	322-0707		592 287 42 ✓
3 John Janoski	BARBER	329-5284		592 287 ✓
4 Bobbie Maher	Cosmetologist	359-2574		
5 Dennis Breda	Cosmetologist	322-3264		✓
6 Mary J. Moore	Cosmetologist	323-1255		✓
7 Patricia Skarano	Shop Owner	825-1516		✓
8 Ray Morris	Cosmetologist	882-3840 882-4076	✓	592 287 ✓
9 Joe Midmore	Hairdressers Assoc	—	✓	592 287 ✓
10 Frank McCormick	HAIRDRESSERS ASSN	382-6737	✓	421 ✓
11 Dorothy Feeney	Vice Pres. State Board of Cosmetology	382 6533	✓	421 ✓
12 Jeanine Librande	HAIRDRESSERS ASSOC.	825-1625- 286-0518	✓	421 ✓
13 Rose Abel	HAIRDRESSER ASS.	825-2743	—	421 ✓
14 Vite Kelley	Nevada Retail Assn	882-1943	✓	592 287 ✓
15 J. Johnson	Welfare Div.	7412	—	425, 556 ✓
16 Bernice Randall	Cosmetologist	882-2541		421 + 287 ✓
17 Garry Allaback	Cosmetologist	706-3903	✓	592 287 ✓
18 Mary Reed	Cosmetologist	323-0509		287 ✓

NAME	DEPARTMENT AND POSITION OR TITLE		(v) WITNESS	Bill #	(v) Obser
9. Marie Garbey	Interested Public	849-1274	✓		
10. CHARLENE TRAMMEL	Cosmetology	786-8888	✓		
21. Cindi Bailey	Cosmetologist	786-8888	✓		
22. DELORES MARTINEZ	COSMETOLOGIST	786-8888	/		
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4-6-73

Dr. Robinson -

AB 789

Goodmorning.

As quickly as possible I would like to get to the purpose of AB 789----It is an "in-house" bill imposing additional costs to the practicing optometrists in the state of Nevada and applicants. It calls for some increases in fees for examination for licensing and for annual renewal of the license. These are dictated by inflation. In addition it asks for additional time for the Board of Examiners to process applications since they are receiving ever increasing numbers of them each year.

It provides for a method of appointing a member to the State Board of Examiners in case of a vacancy which was not provided for in the existing law----an oversight which has existed for years.

It provides for subpoena powers for the board the same as other State Boards such as the Board of Medical Examiners. This has been found necessary since a formal complaint to the board requires them to hold a hearing with no assurance that the person complaining will even show up for the hearing thus causing considerable expense to the State without cause.

And finally it requires the optometrist in Nevada to maintain his practice in a professional environment which statistics from many areas of the United States show beyond a shadow of doubt result in a higher level of quality of eye care service than those services provided in a non professional environment where the incentive is greater to quote sell a pair of glasses unquote than to be concerned with the visual welfare of the patient. Patients in the non professional environment become "customers" and subject to the rules of trade rather than to the ethical relationship established between doctor and patient.

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Exhibit B

4-1-73

Granted--an optometrist can earn more money in a non-professional manner but professions (and optometry is a profession recognized by all departments of the U.S. Govt. and the State of Nevada) but professions have historically found it to be in the interest of the public to have self-imposed restrictions upon the conduct of its members in their manner of providing their services to the public. Attorney's for instance, did not have the restriction regarding "non-solicitation" of clients imposed upon them from outside their profession-- they imposed it upon themselves because it was in the best interest of the public. So it is with last paragraph of this bill.

I might point out that it affects no one in practice in Nevada today. We have no objection from any optometrist in Nevada as attested by the support you see today with 23 optometrists in Nevada present this morning to support the bill (Total in State 42 K) ~~All but 2~~

~~XXXXXXXXXX~~ A question might arise that this is a restriction in competition in the eye care field. Not so--- no more than there is a restriction of competition between attorneys, dentist or physicians. We compete for patients in our day to day practice building by meeting human needs, providing needed visual care of high quality, when needed, where needed and at a fee every Nevadan can afford. To my knowledge no one has ever been turned away from an optometrist for ~~lack~~ lack of money. If you hear of one send them to any optometrist in this room and they will be provided the care they need and deserve. Another witness will testify to the extent that optometrists travel to provide their services to the residents of this state= 453
Something that the opponents of this bill would never do

3

because it would not return a profit.

Thank you

CB 789

MEMORANDUM OF NATIONAL ASSOCIATION OF OPTOMETRISTS
AND OPTICIANS, INC. IN OPPOSITION TO
NEVADA A. B. 789

My name is Robert G. Markey. I am an attorney engaged in the private practice of law in Cleveland, Ohio and serve as general counsel to The National Association of Optometrists and Opticians, Inc.

The National Association of Optometrists and Opticians is a national organization comprised of firms and companies engaged in the optical business throughout the United States. The Association represents both owners and operators of these firms, most of whom are optometrists and opticians, as well as the employees of these firms and companies. The National Association of Optometrists and Opticians is concerned about the introduction and the possible passage of this Bill, just as it is concerned about the passage of similar Bills in other states, because it has observed and become alarmed by increased attempts of private interest groups to pass such legislation on a state by state basis. These attempts, if successful, would create a creeping paralysis in the optical industry and as well would result in a substantial increase in costs to the consumer of optical services and goods.

Assembly Bill 789 represents the efforts of a small number of optometrists who intend to restrain and monopolize trade in the State of Nevada with respect to eyeglasses and related optical products and merchandise.

Presently, medical doctors and optometrists are qualified to examine the eyes of their patients to determine the presence of refractive errors and, upon discovery thereof, to prescribe lenses

4/1, = # 22 }

Exhibit 155

for the correction of such errors in vision. Optometrists are limited by law to the examination of the human eye without the use of drugs and optometrists may not perform surgery. Upon discovery of a pathological problem, an optometrist is required to refer his patient to a medical doctor. The optometrist does not derive his entire income from fees received as a result of his examination of eyes. With rare exception, optometrists in Nevada sell eyeglasses and the American Optometric Association and its local and state affiliates encourage optometrists to sell ("dispense") eyeglasses. The optometrists have for many years been waging a battle on two fronts - one with medical doctors especially trained to examine eyes and treat diseases of the eye (ophthalmologists) and the other with business men who sell or dispense eyeglasses upon the written prescriptions of ophthalmologists and optometrists (opticians). Opticians and optical companies engaged in the practice of opticianry grind lenses pursuant to written prescriptions and fit, adjust and sell or dispense eyeglasses and eyeglass frames, contact lenses, and other related ophthalmic appliances to the public.

The 570,000 citizens of Nevada have available to them the services of some four dozen optometrists. Most of these optometrists are in practice for themselves, examining eyes and selling eyeglasses, contact lenses and other ophthalmic devices and accessories. Other optometrists, although in practice for themselves, lease or desire to lease office space in department stores or in establishments where ophthalmic devices and accessories are sold. In these cases, an optometrist may earn his living from eye examinations, obtaining sufficient income from this means alone. Such establishments ad-

vertise the availability of eyeglasses and ophthalmic devices for sale to the public and compete with each other according to the standards of our free enterprise system. Bill 789 would prohibit such competition and the competition these establishments would present to optometrists engaged in so-called "ethical" private practice who also sell eyeglasses - all to the benefit of such practitioners.

We address ourselves only to Section 8 of the Bill and proposed subsection 11 of Section 636.300, NRS, which subsection would prohibit an optometrist from practicing optometry in any retail or commercial store or office not exclusively devoted to the practice of optometry. We submit that this is the most important feature of the proposed legislation. We question how the public health, safety and welfare can possibly be benefited by this particular proposed amendment. We submit that it is not where a man practices optometry that determines the quality of the services which he has to offer the public, but rather how he practices optometry. This particular amendment would make generally accepted practices "unlawful" and would deny the right to a duly qualified and registered optometrist from practicing optometry in a particular location. The optometrist who practices in a commercial or retail establishment is in a position to charge less for comparable services than those who do not practice in such locations. The reason for his ability to charge less relates to the volume which he is able to generate in such an establishment. The proponents of this Bill would unquestionably agree that the exposure of the public to an optometrist who practices in a retail, mercantile or commercial establishment is much greater than that to the optometrist who

practices in an office building. The public, more aware of the presence of the optometrist in the retail establishment, may find it more convenient to seek its eye care in such surroundings. However, this is to the economic detriment of the proponents of this Bill - those who do not or would not practice in such locations. The prohibition of optometrists from retail or commercial establishments will, if this legislation is enacted, maintain the high volume of patients available to those presently not practicing in such establishments. These optometrist-proponents, who have as their sole goal economic restraint of others with a view toward self-enrichment, will be permitted to continue charging their high fees (due to the absence of their competitors from high-volume locations) and thus, work great harm on the public. We submit that those optometrists who practice in retail or commercial locations in most of the several states furnish a great service to optometry and to the public. We further submit that the proponents of this Bill cannot produce a scintilla of evidence which would tend to show that the quality of eye care in such locations is inferior to that which they render, nor can they honestly produce evidence to the effect that any person has ever been harmed as a direct result of an optometrist so practicing.

In support of our proposition that office location bears no relationship to the quality of eyecare received by the public, we submit a copy of an article by Arnold R. Wolfson, O.D., which appeared in the March 15, 1967 edition of the Optical Journal - Review of Optometry.

In summary, we submit that this Bill has been proposed by a small group of optometrists, all of whom no doubt claim to have substan-

tial "grass roots" support for this restrictive, economically oriented legislation. The ethics of the "profession" of optometry curiously are founded upon economic bases. This Bill is entirely presented to members of the Senate as an economic measure by a small group of optometrists - all of whom are "doctor-merchants" - who sell a product which they tie to a service. These doctor-merchants cannot afford to compete effectively with other doctors who examine eyes and prescribe glasses at a fraction of the cost and with optical companies and opticians who charge reasonable prices for eyeglasses and other ophthalmic appliances. This small group of individuals, which purports to be so concerned with ethics and commercialism ought to look at their medical brethren. Do medical doctors sell wooden legs, wheelchairs, crutches and the like? Of course they don't. But an optometrist who charges \$15 to \$25 for an eye examination and \$40 to \$60 for a pair of eyeglasses cannot compete with the optometrist located in a department store who charges \$9 or \$10 for an eye examination and with the optical company or optician who charges \$15 to \$35 for eyeglasses. He could compete if he wanted to merely by lowering his prices. But why should he earn \$20,000 or \$25,000 a year when he might be able to earn \$50,000 or more? The members of the Senate have before them the opportunity to enrich a small number of optometrists who are members of the Nevada State Optometric Association. We submit that these optometrists ought to take a long, hard look at themselves. Their presentation of this Bill to the members of the Senate is reprehensible and unethical conduct far exceeding the evils purportedly to be corrected thereby.

Respectfully submitted,

The National Association of
Optometrists and Opticians, Inc.

Recognize the Real Enemy in a War for Survival!

ARNOLD R. WOLFSON, O.D.
Garden Grove, Calif.

• Dr. Sakler's address to the American Association of Ophthalmology (Jan. 15, 1967 issue) was more than a mere reiteration of ophthalmology's attitude toward optometry over the past many years. This attitude has undergone periods of ebb and flow, deviating between bare tolerance and absolute subjugation of optometry.

Dr. Sakler's speech indicates the present attitude is that optometry, as we know it, is to be eliminated.

Dr. Sakler states that optometry is not an allied medical specialty, the ophthalmologist must be "Captain of the Team", and ophthalmologists must train additional "ophthalmic technicians" to assist them. These statements, when taken together, lead to the inescapable conclusion that ophthalmology wants complete charge of all eye care utilizing the services of technicians. Optometry, since it is not allied with medicine as an "allied medical worker", would then be completely ignored.

Formerly, this would have posed no particular threat; this attitude is not exactly foreign to us and all but the most idealistic and naive optometrists have been aware of it. But now, the entire concept of eye care, and medical care for that matter, is undergoing a drastic change. More and more, we are encountering government participation, insurance plans, union plans, and prepaid plans. These rely on legislation and/or contracts between various groups and members of the eye care field to provide service. If medicine can influence these groups, dominate the field, and restrict such service to care by physicians, optometry will be on the road to virtual elimination. That is the intent of medicine today. The threat becomes very real when we consider the estimate that within

five years almost 70 per cent of all glasses dispensed in California will be dispensed through such plans.

So far, what has organized optometry attempted to do? Up to now, our attitude has been: enter into some agreement with ophthalmology, don't offend them, and certainly do not dare direct confrontation with the American Medical Association. This attitude is no longer possible if optometry is to survive.

For years, ophthalmology has aggressively tried to discredit us. Physicians have told patients directly that we are incompetent. Dispensing opticians, formerly the advertising mouthpiece of ophthalmology, have emblazoned their advertising with "For better vision, see your eye physician"—or with similar statements implying the superiority of medical eye care. And all we have done about this is complain to each other and wring our hands in grief.

We have continually emphasized that we are divided between the so-called "professional" and "commercial" factions. We have put most of our efforts into an unsuccessful and unnecessary attempt to eliminate the one faction that has been attempting to bring optometry into the public light. We have degraded the members of our profession who have been presenting optometry to the public. I am referring to the "commercial" optometrists, who by their mode of advertising, whether in newspapers, radio, TV, or location in high traffic areas (such as discount houses, department stores), have been exposing themselves to the public as optometrists and have been exposing the public to their (and our) services.

We have attempted to emulate the physi-

cian, to copy his mode of practice. We have indoctrinated our students with this idea; we have told them that they should practice in medical-type surroundings and hide themselves behind their title "Doctor of Optometry". We have even said that if they must accept employment, they should work for an ophthalmologist or one of the medically-oriented and medically-operated health plans—rather than for a commercial optometrist and certainly rather than for an optometrically-operated vision plan or discount house. We have advocated a policy of non-exposure for optometry; we have harassed our colleagues (if we deign to call them colleagues) who attempt to present themselves to the public as optometrists.

Raising the Cost of Eye Care

We have been talking of higher fees, of raising the cost of eye care to the public. This is the same thing medicine has been doing over the past years—to the point where the public has begun to rebel. Witness the advent of Medicare and other government and private plans to defray the direct cost to the public. We have been doing this and condemning optometrists who attempt to bring the cost of eye care down. And all this time, medicine is attempting to destroy us.

Do not misunderstand me. I am not saying that all optometrists who advertise, who practice commercially, or who organize union vision plans, are doing so primarily for the best interests of the profession. Of course, their prime motives are financial remuneration. But, in their own way, they have made known to the public that a profession of optometry exists, that it is not necessary to see a physician for an eye examination, that optometrists are qualified to furnish visual care.

Optometrists in discount houses, in union plans, and in store-type offices can, and in most cases do, give adequate visual care; at the same time, they promote optometry to the public. Physical surroundings do not indicate the quality of care the patient will receive and neither does the method used to get the patient into the office. It is about time we stopped equating only a "professional" office with ethical and professional treatment.

Ophthalmology and optometry have been at war for a long time, but we still keep arguing among ourselves. It is time we recognized our real enemy; make no mistake, medicine is our enemy and a state of war exists.

In this war, any time an optometrist gains a patient who was formerly an ophthalmologist's patient, that is a small victory—*regardless of the method used to bring the patient into his office.*

Any time an organization contracts with an optometrist to provide visual care for its members, that is a victory.

We must make every effort to increase the percentage of patients who receive optometric care vs. those who receive medical refractions (including those furnished by optometrists in an ophthalmologist's office).

We must obtain *effective* optometric representation in any and all eye care programs, whether they are promulgated by the government or by private plans.

We must institute an aggressive public relations program exploiting the superiority of optometric care over medical refractions.

We must press for a complete divorce in the public's mind between visual care and medical and surgical eye care. In doing so, we must maintain the concept of complete visual care—including the proper selection and fitting of eyewear, contact lenses, orthoptics and other facets of our profession which we have been tending to delegate to groups not under our control.

Time for the Initiative

It is time that optometry decided to raise its head high in its relations with the public and with medicine. For years, we have taken strictly a defensive position. Now is the time to take the initiative. Medicine has found that its public image has become tarnished and the physician is trying to restore that image to its former brightness. But now is the time for optometry to make its move. Actually, it is now or never.

6222 Anthony Avenue

Voyeur

He was so shy, he looked askance
If anyone dared say "romance,"
When at a pretty girl by chance
He'd happen just to cast a glance.
Yet faithfully his eyes did serve,
And look he would, at every curve.
Despite his shyness and reserve,
He had a lot of optic nerve!

GERTRUDE LEIGH

SUMMARY--Limits barbering to cutting or trimming the hair of men and male children.

AN ACT to amend NRS 643.010, relating to the definitions of barbering.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

SECTION 1. Chapter 643 of NRS is hereby amended by adding thereto a new section which shall read as follows:

It is hereby declared as a matter of legislative determination that:

1. Sound, competent development in the training and skills of the members of the barber profession is essential for the protection of the health, safety and welfare of the public.

2. There necessarily does, and should, exist sufficient differences between the training, tools and practices used in the cutting and styling of men's hair and beards and the training, tools and practices used to cut women's hair.

3. The differences in courses of training in barber colleges and cosmetology colleges should be and necessarily are to be remarkably and substantially different in preparing their prospective members to serve the public in:

- (a) The use of razors and scissors;
- (b) The styling of short or long hair; and
- (c) The curriculum and amount of time in training given to the shaving of the beard and the cutting of men's hair in contrast to the cutting of women's hair.

4. The cutting of women's and female children's hair should not be done by barbers or any other person until he or she first obtains a valid certificate as a registered cosmetologist or beauticians and any other required professional or business licenses.

5. There should exist a separation of barber shops and cosmetological establishments and the services they offer to the

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public.

6. It is hereby intended that in the State of Nevada it shall be recognized that the barber profession and cosmetology profession are distinct and separate and that the foregoing provisions of this Chapter are hereby adopted to insure and preserve the distinction between the two professions and to preserve the competence and integrity of both professions by distinguishing and requiring separate and different courses of training and preparation to enter the two said professions.

SECTION 2. NRS 643.010 is hereby amended to read as follows:

643.010 Definitions. As used in this chapter:

1. "Barber school" includes school of barbering, college of barbering, barber college, and any other place or institution of instruction training persons to engage in the practice of barbering.

2. "Barbershop" embraces any establishment or place of business where the practice of barbering is engaged in or carried on.

3. "Board" means the state barbers' health and sanitation board.

4. "Instructor" means any barber holding a valid certificate of registered barber and meeting the qualifications required by the board.

5. "Practice of barbering" is defined to be any of, or any combination of, or all of the following practices for cosmetic purposes:

(a) Shaving or trimming the beard, or cutting or trimming the hair OF MEN AND MALE CHILDREN, or hair weaving.

(b) Giving facial or scalp massages or treatments with oils, creams, lotions or other preparations, either by hand or mechanical appliances.

(c) Singeing, shampooing or dyeing the hair, or applying hair tonics.

(d) Applying cosmetic preparations, antiseptics, powders, oils or lotions to the scalp, face or neck.

(e) Arranging, fitting, cutting, styling, cleaning, coloring or dyeing a hairpiece or wig, whether made of human hair or synthetic material. This shall not restrict any establishment from setting or styling a hairpiece or wig in preparation for retail sale.

6. "Practitioner of barbering" means every person engaged in any of the practices designated in subsection 5.

7. "Student" means a person receiving instruction in a barber school.

SECTION 3. NRS 643.~~010~~¹⁰⁰ is hereby amended to read as follows:
643.100 Examinations: Times and subjects.

1. Not less than three times a year, at such times and places as it determines, the board shall conduct examinations to determine the fitness of each of the following:

(a) Applicants for certificates of registration to practice as registered barbers.

(b) Applicants for certificates of registration to practice as registered apprentices.

(c) Applicants to enter barber schools.

2. The examination of applicants for certificates of registered barbers and as registered apprentices shall include both a practical demonstration and a written and oral test, and shall embrace the subjects usually taught in schools of barbering approved by the board. Hair cutting in the practical portion of the examination shall be restricted to men and male children.

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SECTION 4. NRS 643.176 is hereby amended to read as follows:

1. OK

2. [The course of study of barber schools; and]

(a) THE COURSE OF STUDY OF BARBER SCHOOLS.

(b) REGULATIONS AND COURSE IN BARBER SCHOOL SHALL LIMIT THE TEACHING OF HAIRCUTTING TO THE HAIRCUTTING OF MEN AND MALE CHILDREN'S HAIR.

3. OK

SECTION 5. NRS 643.180 is hereby amended to read as follows:

643.180 Applicability of chapter. This chapter shall not apply:

1. To licensed hairdressers and cosmeticians, INsofar AS THEIR USUAL AND ORDINARY VOCATION IS CONCERNED, EXCEPT THAT LICENSES HAIRDRESSERS AND COSMETICIANS SHALL NOT ENGAGE IN THE PRACTICE OF SHAVING OR TRIMMING THE BEARD, OR CUTTING OR TRIMMING THE HAIR OF MEN AND MALE CHILDREN, WITHOUT FIRST MEETING THE REQUIREMENTS OF CHAPTER 643 AND OBTAINING THE NECESSARY CERTIFICATES THEREFOR.

2. To emblamers or undertakers in cutting the hair or trimming the beard of any deceased person in preparation for burial or cremation.

4-6

Do Pass

A. B. 761

ASSEMBLY BILL NO. 761—MR. ROBINSON (by request)

MARCH 22, 1973

Referred to Committee on Commerce

SUMMARY—Requires continuing education for optometrists.
Fiscal Note: No. (BDR 54-1833)



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

AN ACT relating to optometry; requiring continuing education as a condition to annual relicensing; providing penalties; 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 636.260 is hereby amended to read as follows:
2 636.260 1. On or before the final day for renewal, each licensee
3 shall pay a renewal fee to the secretary in the amount specified in this
4 chapter.
5 2. *Effective March 1, 1974, each licensee shall, at the time of paying*
6 *such renewal fee, present to the secretary satisfactory evidence that during*
7 *the 12 months immediately preceding he attended an educational or post-*
8 *graduate program approved by the board for the number of hours as may*
9 *be set by the board not exceeding 24, unless such licensee:*
10 (a) *Has been licensed to practice optometry in this state for 30 years or*
11 *more;*
12 (b) *Is 65 years of age or older; or*
13 (c) *Is prevented from attending any such program because of illness or,*
14 *in the discretion of the board, for other good cause.*

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Original bill is on file at
the Research Library.

4-6

Do Pass

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 789

ASSEMBLY BILL NO. 789—MR. ROBINSON (by request)

MARCH 22, 1973

Referred to Committee on Commerce

SUMMARY—Revises certain powers of Nevada state board of optometry and declares certain acts as unprofessional conduct. Fiscal Note: No. (BDR 54-1834)

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

AN ACT relating to optometry; granting the Nevada state board of optometry subpoena power; providing for filling of temporary board vacancies; providing for administrative fees for violating the rules and regulations of the board; revising certain fees; adding to the act which constitutes unprofessional conduct; providing penalties; 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 636 of NRS is hereby amended by adding
- 2 thereto the provisions set forth as sections 2 and 3 of this act.
- 3 SEC. 2. 1. *The board shall have power to issue subpoenas to compel*
- 4 *the attendance of witnesses before it or the production of documents.*
- 5 2. *The district court shall, on application of the board, compel obe-*
- 6 *dience to a subpoena issued by the board by attachment proceedings as for*
- 7 *contempt.*
- 8 SEC. 3. *Any person violating any rule or regulation of the board relat-*
- 9 *ing to the practice of optometry is liable to the board for an administra-*
- 10 *tive fine of not less than \$100 or more than \$500.*
- 11 SEC. 4. NRS 636.055 is hereby amended to read as follows:
- 12 636.055 1. A membership shall become vacant in the event of the
- 13 member's conviction of a felony or a gross misdemeanor, involving moral
- 14 turpitude, death, ineligibility to hold office, mental or physical incompe-
- 15 tency, removal from the state, or resignation prior to the expiration of
- 16 his term.
- 17 2. *In the event a membership becomes temporarily vacant by reason*
- 18 *of a board member's disqualification or removal from a hearing, the*
- 19 *governor, pursuant to NRS 636.060 and 636.065, shall fill such tem-*
- 20 *porary vacancy for the period of the hearing or any rehearing thereof.*
- 21 SEC. 5. NRS 636.160 is hereby amended to read as follows:

4-6

Do Pass

S. B. 435

SENATE BILL NO. 435—SENATOR WALKER

MARCH 12, 1973

Referred to Committee on Health, Welfare and State Institutions

SUMMARY—Clarifies responsibility for federal problems relating to welfare and assistance. Fiscal Note: No. (BDR 38-1473)



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

AN ACT relating to welfare administration; clarifying the responsibility between the department of health, welfare and rehabilitation and the welfare division relating to federal programs; 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 422.270 is hereby amended to read as follows:
2 422.270 1. The [director, through the welfare division,] *department*
3 shall:
4 [1.] (a) Administer all public welfare programs of the state, includ-
5 ing old-age assistance, blind assistance, aid to dependent children, general
6 assistance, child welfare services, and such other welfare activities and
7 services as now are or hereafter may be authorized or provided for by the
8 laws of this state. [and vested in the welfare division.]
9 [2.] (b) Act as the single state agency of the State of Nevada and its
10 political subdivisions in the administration of any federal funds granted to
11 the state to aid in the furtherance of any services and activities as set
12 forth in [subsection 1] *paragraph (a)*.
13 [3. Make rules and regulations for the administration of this chapter
14 which shall be binding upon all recipients and local units.
15 4. Monitor, explore and research the changing nature and extent of
16 welfare needs and develop through tests and demonstrations effective
17 ways of meeting such needs, employing or contracting for such personnel
18 and services as may be provided through legislative appropriations from
19 the general fund or may become available through legislatively authorized
20 or new funds from federal or other sources.]
21 [5.] (c) Cooperate with the Federal Government in adopting state
22 plans, in all matters of mutual concern, including adoption of such meth-
23 ods of administration as may be found by the Federal Government to be
24 necessary for the efficient operation of welfare programs, and in increas-
25 ing the efficiency of welfare programs by prompt and judicious utilization

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4-6

Do Pass

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 187

ASSEMBLY BILL NO. 187—MESSRS. LOWMAN, GETTO,
WITTENBERG, McNEEL AND HICKEY

FEBRUARY 1, 1973

Referred to Committee on Health and Welfare

SUMMARY—Puts foster homes under exclusive licensing authority of welfare division of the department of health, welfare and rehabilitation. Fiscal Note: No. (BDR 38-41)

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

AN ACT relating to foster homes; giving the welfare division of the department of health, welfare and rehabilitation exclusive licensing authority; 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 424.010 is hereby amended to read as follows:
- 2 424.010 [Any family home in which one to 15] *As used in NRS*
- 3 *424.010 to 424.100, inclusive, unless the context otherwise requires:*
- 4 1. "Family foster home" means any family home in which one to six
- 5 children under 16 years of age not related by blood, adoption or marriage
- 6 to the person or persons maintaining the home are received, cared for,
- 7 and maintained for compensation or otherwise, including *the provision*
- 8 *of permanent free care.* "Family foster home" includes any such home in
- 9 which any such child is received, cared for and maintained pending completion
- 10 of proceedings for the adoption of such child by the person or
- 11 persons maintaining the home. [, shall be deemed to be a foster home for
- 12 children.]
- 13 2. "Foster home" includes family foster home and group foster home.
- 14 3. "Group foster home" means any individual, partnership, firm, corporation
- 15 or association which provides full-time care for 7 to 15 children
- 16 under 16 years of age not related by blood, adoption or marriage to the
- 17 person or persons maintaining or operating the home who are received,
- 18 cared for and maintained for compensation or otherwise, including the
- 19 provision of permanent free care.
- 20 SEC. 2. NRS 424.020 is hereby amended to read as follows:
- 21 424.020 1. The welfare division of the department of health, welfare
- 22 and rehabilitation, in cooperation with the state board of health [,] and
- 23 the state fire marshal, shall:

4-6

Amend Do Pass

(REPRINTED WITH ADOPTED AMENDMENTS)

THIRD REPRINT

A. B. 373

ASSEMBLY BILL NO. 373—MESSRS. BENNETT
AND CRAWFORD

FEBRUARY 21, 1973

Referred to Committee on Health and Welfare

SUMMARY—Revises licensing provisions for health and care facilities and administrators of certain such facilities. Fiscal Note: No. (BDR 40-66)

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

AN ACT relating to licensing and administration of health and care facilities; consolidating the health division licensing provisions for child care facilities, group care facilities, intermediate care facilities, skilled nursing facilities and hospitals; revising terminology used to describe certain such facilities and their licensed administrators; providing for suspension or revocation of licenses under certain conditions; 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 449 of NRS is hereby amended by adding the
2 provisions set forth as sections 2 to 13, inclusive, of this act.
3 SEC. 2. *As used in sections 3 to 13, inclusive, of this act and NRS*
4 *449.021 to 449.245, inclusive, unless the context otherwise requires, the*
5 *words and terms defined in sections 3 to 10, inclusive, of this act have the*
6 *meanings ascribed to them in such sections.*
7 SEC. 3. "Child care facility" means an establishment operated and
8 maintained for the purpose of furnishing care on a temporary or perma-
9 nent basis, during the day or overnight, for compensation, to five or more
10 children under 18 years of age. "Child care facility" does not include:
11 1. The home of a natural parent or guardian, foster home as defined
12 in chapter 424 of NRS or maternity home; or
13 2. A home in which the only children received, cared for and main-
14 tained are related within the third degree of consanguinity or affinity by
15 blood, adoption or marriage to the person operating the facility.
16 SEC. 4. "Group care facility" means an establishment operated and
17 maintained for the purpose of furnishing food, shelter and laundry and
18 providing personal care or services other than nursing care to:
19 1. Four or more ambulatory aged, infirm or handicapped individuals
20 unrelated to the person operating the facility; or
21 2. Four or more females during pregnancy or after delivery, who are
22 unrelated to the person operating the facility.

Original bill is 13 pages long.
Contact the Research Library for
a copy of the complete bill.

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Amend Do Pass

(REPRINTED WITH ADOPTED AMENDMENTS)

SECOND REPRINT

A. B. 578

ASSEMBLY BILL NO. 578—MESSRS. BENNETT AND
CRAWFORD

MARCH 12, 1973

Referred to Committee on Health and Welfare

SUMMARY—Changes qualifications required for certain members of Nevada state board of examiners for nursing home administrators. Fiscal Note: No. (BDR 54-1288)

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

AN ACT to amend NRS 654.060, relating to the Nevada state board of examiners for nursing home administrators, by changing the qualifications required for certain members of the board.

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

- 1 SECTION 1. NRS 654.060 is hereby amended to read as follows:
- 2 654.060 The board shall be composed of:
- 3 1. The director of the department of health, welfare and rehabilita-
- 4 tion or his designee; and
- 5 2. Four members appointed by the governor. ~~Three~~ Two of the
- 6 appointed members shall be nursing home administrators and the ~~fourth~~
- 7 ~~appointed member~~ *other appointed members* shall be ~~an administra-~~
- 8 ~~tor~~ *administrators* of ~~a~~ general ~~hospital~~ *hospitals* or ~~a member~~
- 9 *members* of the medical profession or paramedical professions.
- 10 3. *No members of the board except the nursing home administrators*
- 11 *may have a direct financial interest in any nursing home.*

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Original bill is on file at
the Research Library.

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A. B. 485

ASSEMBLY BILL NO. 485—MESSRS. GETTO, GLOVER, JACOBSEN, HOWARD, ASHWORTH, DINI, MRS. BROOKMAN, MESSRS. HICKEY, PRINCE, BANNER, SMALLEY, BREMNER, BARENGO AND YOUNG

MARCH 5, 1973

Referred to Committee on Government Affairs

SUMMARY—Creates state rural housing authority. Fiscal Note: Yes. (BDR 25-32)



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

AN ACT relating to housing for persons of low income; creating the Nevada state rural housing authority to operate in counties of less than 100,000 population; providing the powers and duties of such authority; 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 315 of NRS is hereby amended by adding
- 2 thereto the provisions set forth as sections 2 to 38, inclusive, of this act.
- 3 SEC. 2. *Sections 2 to 38, inclusive, of this act may be cited as the*
- 4 *State Rural Housing Authority Law.*
- 5 SEC. 3. 1. *It is the policy of this state to promote the health, welfare*
- 6 *and safety of its residents and to develop more desirable neighborhoods*
- 7 *and alleviate poverty in the counties, cities and towns of the state by*
- 8 *making provision for decent, safe and sanitary low-rent housing facilities*
- 9 *for persons of low income.*
- 10 2. *It is hereby found and declared:*
- 11 (a) *That there is a shortage of safe and sanitary dwelling accommoda-*
- 12 *tions in the rural counties of the state which are available to persons of*
- 13 *low income, particularly senior citizens of low income, at rentals they can*
- 14 *afford, specifically in areas where local housing authorities are not operat-*
- 15 *ing;*
- 16 (b) *That the establishment and operation of a sufficient number of new*
- 17 *local housing authorities to undertake housing projects on an individual*
- 18 *basis in such counties and the cities and towns therein is not feasible at*
- 19 *the present time due to geographic and economic circumstances; and*
- 20 (c) *That the shortage of low-rent housing facilities in such counties can*
- 21 *be partially remedied through state action by the establishment of a state*

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 or without compensa-
5 tion, applies cosmetics to promote sales thereof.
6 3. "Cosmetological establishment" or "*wig stylist salon*" means any
7 premises, building or part of a building whereon or wherein any branch
8 or any combination of branches of cosmetology, or the occupations of
9 [a hairdresser and cosmetician] *cosmetologist and wig stylist* are prac-
10 ticed.
11 4. "*Cosmetologist*" means any person who engages in the practice
12 of cosmetology, except for cosmeticians, manicurists and electrologists.
13 [3.] 5. "Cosmetology" shall be construed to include any branch or
14 any combination of branches of the occupation of a [hairdresser and
15 cosmetician,] *cosmetologist* and any branch or any combination of
16 branches of the occupation of a cosmetician, or [cosmetologist,] *wig*
17 *stylist* or beauty culturist, which are now or may hereafter be practiced,
18 and is defined as the following practices:
19 (a) Arranging, *weaving*, dressing, curling, waving, cleansing, singeing,
20 bleaching, tinting, coloring or straightening the hair of any person *or wig*
21 *or hairpiece of any person* with the hands, mechanical or electrical appa-
22 ratus or appliances, or by any means; or similar work incident to or nec-
23 essary for the proper carrying on of the practice or occupation provided
24 by the terms of this chapter.