

## ASSEMBLY HEALTH AND WELFARE COMMITTEE MINUTES

Page 1

DATE: FEBRUARY 26, 1975

MEMBERS PRESENT: CHAIRMAN BENNETT  
VICE-CHAIRMAN CHRISTENSEN  
MR. CRADDOCK  
MRS. FORD  
MR. LOWMAN  
MR. MURPHY  
MR. MANN  
MR. VERGIELS

MEMBERS ABSENT: MR. BARENGO

GUESTS: See attached Guest Register.

Chairman Bennett called the meeting to order at 3:15 p.m., for the purpose of discussing AB-100.

*Exhibit A*  
Dr. William M. Edwards, Chief, Bureau of Community Health Services, Nevada State Health Division, was the first speaker.

Dr. Edwards presented a statistical report to the members of the Committee, listing births by young women in Nevada for the past three years, births according to racial breakdown, EOB Clark County reports of family planning, gonorrhoea cases reported in the 15-19 age group in 1974, a statistical analysis of abortions reported in Nevada in 1974, and other pertinent data. A copy of this report is attached hereto, marked Exhibit A, and made a part of these Minutes.

Dr. Edwards' testimony primarily followed the pages of his report, as he explained the various sections. He stated that the younger the mother the more risk there was to the baby in every area. There is a higher incidence of birth defects and they suffer from more acute infections during their first year than babies of older mothers. Nevada State Health Division would prefer to see teenagers using contraceptives rather than becoming pregnant or having abortions.

Mr. Mann said that the Nevada Nurses' Association had a concern about abortions being performed without parental consent, and asked if Dr. Edwards read that in the bill. Dr. Edwards said he did not and would be against that, as well as any instrument techniques. Family planning should be non-instrument techniques - foam, pills, etc.

Mr. Mann further said that the Nurses' Association stated that birth control relates to abortion and asked if an amendment was needed in the bill to clarify that.

Mr. Mike Nash of the State Health Department, referred to Sec. 1, Sub-sec. 3 (page 2 of bill), lines 6 and 7, "Except as otherwise provided in NRS 442.250. He said NRS 442.250 is the State of Washington law and does not allow abortions without parental consent or without the consent of the husband in the case of a married woman.

Mr. Mann than asked if a doctor treated a minor without parental consent, could the doctor hold the parents responsible for the bill. He was advised that a member of the Medical Association would be able to answer.

Mr. Nash said they had one other concern about the bill. They would like to have lines 2 and 3 on page 2, "Immunity from civil or criminal liability extends to any person providing such care, in the absence of negligence in such care," retained in 129.030. It appears under 129.050, but not under 129.030.

Mr. Nash also said that the bill does other things besides allow the furnishing of contraceptives to minors. For instance, it would allow doctors to treat an injured child when the parents could not be reached.

Dr. Richard Inskip, the immediate past president of Washoe Medical Society, representing Nevada State Medical Association, read a statement in support of AB-100. A copy of Dr. Inskip's statement is marked Exhibit B, attached hereto, and made a part of these Minutes.

Dr. Inskip stated he would be happy to answer Mr. Mann's question concerning cost. Two years ago legislation was passed that allowed physicians to treat venereal disease without parental consent. He knows of no instance where this treatment was not provided or where any difficulty arose over a fee. He feels there would be no difference in providing contraceptive advice and treatment. Most physicians would be glad to treat the girls free if they had no assets. Also, the initial examination and treatment is very inexpensive and it should present no significant problems in the medical community.

Dr. Mann asked if Dr. Inskip would have any objection to something being written into the bill that in all cases except emergencies the doctor could not hold the parents liable for his fees. Dr. Inskip said he personally would have no objection, but didn't feel it was necessary and that it would make the bill far more cumbersome.

Mrs. Ford asked if most of the young people paid the fees. Dr. Inskip thought it would be about 50-50, and said that most young women who were responsible enough to seek treatment to keep from bringing an unwanted child into the world were responsible enough to pay for such treatment.

The next speaker was Dr. John Sande, Legislative Chairman of the Nevada State Medical Association. He read a letter from Dr. William D. Swackhamer who was unable to be present. A copy of Dr. Swackhamer's letter is attached hereto, marked Exhibit C, and made a part hereof.

Mr. Murphy asked if Dr. Sande personally supported AB-100. Dr. Sande's answer was, "Yes."

Dr. Donald Mohler, physician from Reno, said that he was representing three different categories: Washoe County Medical Society, himself as a physician for over 20 years, and himself as a father of two teen age daughters. He is highly in favor of AB-100 in all three categories. He stated there is a failure in society because girls who are afraid to approach their parents, or who are refused help by the parents need assistance.

In answer to the argument that the bill destroys parental control, Dr. Mohler says he disagrees because he has given abortions and contraceptives to many young people whose parents think they have control.

In answer to Mr. Craddock's question as to why births have declined, Dr. Mohler said the girls are getting smarter and using birth control pills, and also the liberalized abortion laws have an effect.

Mr. Mann said that his main concern was that someone could be aborted without getting parental guidance. Dr. Mohler said that he was also against this, and he did not feel that was the intent of this law. Before an abortion was performed, there should be parental consent.

Dr. Larry Miller, Division of Mental Hygiene and Retardation from Las Vegas, wanted to support Section 3 of NRS 433.665 that would allow a minor to seek voluntary mental health services. He would also like to add to the bill "outpatient services" as well as inpatient service. Early intervention is necessary in many cases so that more serious problems are less likely to develop in the future. In response to a question from Mr. Murphy, Dr. Miller said that not only adolescents were reluctant to go to a mental health center, but also the parents. If they could legally see an adolescent without parental consent, the young people would be more willing to come

Attorney Dan Walsh, representing the Nevada State Council of the Knights of Columbus, appeared in opposition to the bill. He said that it could lead to sterilizations and vasectomies being performed on youngsters without parental consent or knowledge, and that the bill was preposterous and somewhat diabolical. He thinks the basic concept is a moral one which overrides the health issue, and there

should be a better way for the legislature to control this problem without trying to break down the family unit. A prepared statement from Mr. Walsh concerning AB-100 is attached hereto, marked Exhibit D, and made a part hereof.

Mr. Christensen stated he was also for the family unit, but he is concerned about a child who is unable to make contract with his parents, when the family unit breaks down, and the kids have to go to doctors and others for help.

Mr. Walsh questioned the words "emancipated minor". There is no statutory definition of emancipated minor in Nevada. There are court decisions from around the country that do define it and it's pretty restrictive. A parent has to abandon the child and relinquish control of it. A physician who treats a child who says he is emancipated without inquiring of the parents is in trouble.

Mrs. Ford stated that AB-100 is copied from a model law prepared by the American Academy of Pediatrics. It is not the original language of the people whose names are on the bill. She agrees that there should be a definition of the words "emancipated minor" if there isn't one.

Mr. Bennett referred to Mr. Walsh's statement that this was the worst piece of legislation ever made, and stated that there were many states that had this law and AB-100 is a carbon copy of the Illinois bill.

The President of the League of Women Voters in Nevada, ~~Jimmy~~ Warren, appeared in support of the passage of AB-100. She quoted certain language from the State of Washington law relating to health care for minors which would protect the parent from being liable for treatment unless they had consented to such treatment. She felt this language should be added to the bill. She also quoted other sections of the Washington law which could be added to AB-100.

Shirley ~~Wedow~~, Nevada Parent Teachers Association, also appeared in support of the bill.

The Nevada Nurses' Association submitted a letter discussing AB-100. A copy of such letter is attached hereto, marked Exhibit E, and made a part of these Minutes.

The meeting adjourned at 4:30 p.m.

Respectfully submitted,

Jane Dunne, Secretary

ASSEMBLY

AGENDA FOR COMMITTEE ON HEALTH & WELFARE

Date Feb. 26, 1975 Time 3:00 p.m. Room 240

44

Bills or Resolutions  
to be considered

Subject

Counsel  
requested\*

AB-100

Provides for voluntary medical examination  
and treatment for minors in certain  
circumstances without parental consent.

\*Please do not ask for counsel unless necessary.



GUEST REGISTER

AB-100

HEALTH & WELFARE COMMITTEE

AB-100

Date: Feb. 26, 1975

NAME	REPRESENTING	Check if you wish to speak
RICHARD INSUP MD	NEV STATE MED. ASS	X
John Sande MD	Sevaeh karnes / Representative of NSMA	
DONALD Mohler MD	Washoe County Medical Society	X
Larry J. Miller, PhD.	Div. of Mental Hygiene & Rehabilitation	X
Jimmie WARREN	League of Women Voters of Nevada	X
DANIEL R WALSH	NEVADA STATE COUNCIL KNIGHTS OF COLUMBUS	X
Shuree Woodson	herndon PTA	X
Mary Price		
J. H. Carlson	Knights of Columbus	
Joe Hanson		
S. Bailey	Planned Parenthood - Northern Nevada	
Lynn Ballard	Boulder City P.T.A.	
Kathie Dreyer	Wendell PTA - Las Vegas	
Miller Bournath	PHN Sect. State Health Div.	
Joyce Washburne	Clark Co. Teachers	
Sara & Sully		
Linda Johnson		
Paula Burrey	Pro-life League of Nev	
Gloria Johnson	Pro-life League of Nev	
Patricia Reil & Ham	Las Vegas Junior League	
Richard S. Pugh	Nev. State med. Assn.	
Alfred [unclear]	State Health Division	X
Mike [unclear]	" " "	X

BIRTHS  
 BY YOUNG WOMEN - BY COUNTY IN NEVADA - 1974

	Under 12	12	13	14	15	16	17	18
CARSON CITY	0	0	0	0	1	5	6	15
CHURCHILL	0	0	0	0	0	2	1	2
CLARK	1	0	4	21	54	133	218	272
DOUGLAS	0	0	0	0	0	1	2	3
ELKO	0	0	0	0	1	4	8	7
ESMERALDA	0	0	0	0	1	0	0	0
EUREKA	0	0	0	0	0	0	0	0
HUMBOLDT	0	0	0	1	1	2	5	10
LANDER	0	0	0	0	0	1	1	2
LINCOLN	0	0	0	0	0	0	3	0
LYON	0	0	0	0	0	2	7	4
MINERAL	0	0	0	0	1	4	4	6
NYE	0	0	0	0	2	2	6	11
PERSHING	0	0	0	0	0	1	3	3
STOREY	0	0	0	0	0	0	0	1
WASHOE	0	0	1	4	12	41	60	91
WHITE PINE	0	0	0	0	2	7	6	8
STATE TOTALS	1	0	5	26	75	205	330	435

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William M. Edwards, M.D., Chief  
 Bureau of Community Health Services  
 Nevada State Health Division  
 2/26/75

WME/rg

BIRTHS  
BY YOUNG WOMEN - BY COUNTY IN NEVADA - 1973

	Under 12	12	13	14	15	16	17	18
CARSON CITY	0	0	0	2	4	2	14	17
CHURCHILL	0	0	0	0	2	3	4	15
CLARK	0	4	13	25	67	136	226	318
DOUGLAS	0	0	0	0	0	1	0	0
ELKO	0	0	0	0	1	7	10	21
ESMERALDA	0	0	0	0	0	0	0	0
EUREKA	0	0	0	0	0	0	0	0
HUMBOLDT	0	0	1	0	0	4	3	3
LANDER	0	0	0	0	0	0	1	0
LINCOLN	0	0	0	0	0	0	1	0
LYON	0	0	0	0	1	2	7	9
MARSHAL	0	0	0	0	2	4	5	6
NYE	0	0	0	0	1	0	2	2
PERSHING	0	0	0	0	0	1	1	3
STOREY	0	0	0	0	0	0	0	0
WASHOE	0	0	1	3	18	34	64	87
WHITE PINE	0	0	0	0	2	1	7	18
STATE TOTALS	0	4	15	30	98	195	345	499

William M. Edwards, M.D., Chief  
Nevada State Health Division  
Bureau of Community Health Services  
2-20-75

WME/rg



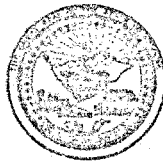
BIRTHS  
BY YOUNG WOMEN - BY COUNTY IN NEVADA - 1972

	Under 12	12	13	14	15	16	17	18
CARSON CITY	0	0	0	0	1	9	15	20
CHURCHILL	0	0	0	3	3	1	8	7
CLARK	0	1	6	31	77	147	221	290
DOUGLAS	0	0	0	0	0	0	0	0
ELKO	0	0	0	0	1	7	9	10
ESMERALDA	0	0	0	0	0	0	0	0
EUREKA	0	0	0	0	0	0	0	0
HUMBOLDT	0	0	0	0	2	1	7	4
LANDER	0	0	0	0	0	0	2	1
LINCOLN	0	0	0	0	1	0	0	1
LYON	0	0	0	0	0	2	1	9
MINERAL	0	0	0	0	3	7	6	9
NYE	0	0	0	0	0	0	1	0
PERSHING	0	0	0	0	1	1	0	1
STOREY	0	0	0	0	0	0	0	0
WASHOE	0	0	0	5	14	33	71	91
WHITE PINE	0	0	0	1	1	9	4	11
STATE TOTALS	0	1	6	40	104	217	345	454

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Bureau of Community Health Services  
Nevada State Health Division

2-20-75

Wm/rg



STATE OF NEVADA  
DEPARTMENT OF HUMAN RESOURCES  
DIVISION OF HEALTH  
CARSON CITY, NEVADA 89701

OFFSPRINGS OF TEEN MOTHERS

FACE GREATER HAZARDS

The younger the mother, the more risk to her baby in almost every area.

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There is higher incidence of birth defects and they are also more likely to be battered and abused and to suffer serious accidents. Also they suffer from more acute infections during their first year than babies of older mothers.

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I feel that Family Planning, like immunizing school children, is another way to guarantee that kids will grow up healthy.

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Teen-age pregnancy occurs primarily in high risk children -- the poor, the disadvantaged, the broken families, and the minority groups.

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Nevada State Health Division would prefer to see teenagers using contraceptives rather than becoming pregnant and having abortions.

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Bureau of Community Health Services  
Nevada State Health Division

2/26/75

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BIRTHS  
BY YOUNG WOMEN - BY COUNTY IN NEVADA - 1973

RACIAL BREAKDOWN

	Under 12	12	13	14	15	16	17	18	TOTAL
WHITE	0	0	3	11	51	127	243	402	837
NON-WHITE	0	4	12	19	47	68	102	97	349
STATE TOTALS	0	4	15	30	98	195	345	499	1186

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Bureau of Community Health Services  
Nevada State Health Division  
2-75

WME/rg

EOB OF CLARK COUNTY  
1974

55

Family Planning Clinic

1230 teenagers, age 17 and under, received services through the Clinic or were referred to their delegate-clinic, Las Vegas Planned Parenthood Inc.

William M. Edwards, M.D., Chief  
Bureau of Community Health Services  
Nevada State Health Division  
2-21-75

WME/rg

EOB OF CLARK COUNTY  
1973

	11	12	13	14	15	16	17	18	TOTAL
PROGRAM									
FAMILY PL.	1	4	14	30	63	81	109	284	586
M & I	0	0	0	3	3	18	15	Unk.	39

Planned Parenthood of Southern Nevada  
654 were 18 or under  
300 were counseled.

William M. Edwards, M.D., Chief  
Bureau of Community Health Services  
Nevada State Health Division  
2-20-75

Wm/rg

EOB Family Planning Clinic, Owens Avenue, Las Vegas, in 1972,  
provided family planning services to the following number of  
women:

17 year old girls	40
16 year old girls	24
15 year old girls	18
14 year old girls	15
13 year old girls	3
12 year old girls	13
11 year old girls	8

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Bureau of Community Health Services  
Nevada State Health Division  
2/26/75

WME/rg

1974

In one rural Nevada high school, population of about 500 students (approximately half of which are female students) the following unwanted pregnancies have occurred since the beginning of the school year, last September:

Seniors	5
Juniors (Approx. age 16)	2
Sophomores (Approx. age 15)	2

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Nevada State Health Division  
2-21-75

WME/rg

1974  
GONORRHEA CASES REPORTED  
in  
AGE 15-19 YEAR AGE GROUP

COUNTY	MALE	FEMALE
CARSON CITY	9	4
CHURCHILL	1	0
CLARK	299	358
DOUGLAS	1	2
ELKO	5	8
ESMERALDA	0	0
EUREKA	0	0
HUMBOLDT	1	0
LANDER	1	1
LINCOLN	0	0
LYON	0	0
MINERAL	8	4
NYE	0	0
PERSHING	0	0
STOREY	0	0
WASHOE	82	119
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STATE TOTALS	407	496
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Bureau of Community Health Services  
Nevada State Health Division  
2/26/75

Total Gonorrhoea  
Cases reported in  
1974 = 4031

WME/rg



STATISTICAL ANALYSIS OF THE ABORTIONS  
REPORTED IN NEVADA

1974

Totals by County of Residence

Clark County	1,041
Washoe County	96
Rural Counties	88
Out-of-State	251
STATE TOTAL	<u>1,476</u>

Ratios of Pregnancies That  
Result in Abortions by County

Nationwide	1 out of every 4
Statewide	1 out of every 6
Clark County	1 out of every 5
Washoe County	1 out of every 17
Rural	1 out of every 18

Abortions Performed by Age

<u>Age</u>	<u>Number of Abortions Performed</u>	<u>% of Total</u>
Under 15	32	2%
15 - 19	456	31%
20 - 24	491	33%
25 - 29	247	17%
30 - 34	123	8%
35 +	103	7%
Unknown	24	2%
		<u>100%</u>

The youngest female to receive an abortion was 12 years old and the oldest was 49 years old.

Marital Status

		<u>% of Total</u>
Married	186	13%
Unmarried	1,129	76%
Unknown	161	11%
		<u>100%</u>

Ethnic

		<u>% of Total</u>
White	1,084	74%
Non-white	267	18%
Unknown	131	8%
		<u>100%</u>

Length of Gestation:

<u>Weeks</u>		<u>% of Total</u>
4 - 12	1,373	93%
13 - 16	60	4%
17 - 20	18	1%
21 - 24	25	2%
25 +	2	0%
		<u>100%</u>

History of Previous Abortions?

Zero Previous Abortions	1,218	83%
Number Previous Abortions	253	17%

## BIRTHS

WHITE

	<u>1970</u>	<u>1971</u>	<u>1972</u>	<u>1973</u>
TOTAL	8165	8426	7417	7232

NEGRO

	<u>1970</u>	<u>1971</u>	<u>1972</u>	<u>1973</u>
TOTAL	906	842	983	1023

INDIAN

	<u>1970</u>	<u>1971</u>	<u>1972</u>	<u>1973</u>
TOTAL	255	201	171	231

OTHER

	<u>1970</u>	<u>1971</u>	<u>1972</u>	<u>1973</u>
	170	131	142	136

William M. Edwards, M.D., Chief  
 Bureau of Community Health Services  
 Nevada State Health Division  
 2/26/75

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NOAH SMERNOFF, M.D.  
GERARD E. GLENN, M.D.  
RICHARD C. INSKIP, M.D.  
RAYMOND J. MANN, M.D.  
GENE A. LLEWELLYN, M.D.

601 RALSTON STREET  
RENO, NEVADA

TELEPHONE 786-1110

February 25, 1975

Testimony to Health and Welfare Committee AB-100

Ladies and Gentlemen:

First let me say that it is an unfortunate commentary on our society that this legislation has to be introduced. I am in agreement with the opponents of AB-100 who feel that the responsibility for the sexual education and sexual behavior of minors rests with the family. However, legislative matters must deal not with the world as we would like it to be but with the real circumstances in which we find ourselves. The fact is that many of our young people find that their parents are unable or unwilling to accept their responsibility in this important area. Therefore, we must find a means for other responsible individuals to provide these young people with the guidance and information they need to function in our society of changing sexual mores. For this reason I feel that AB-100 is one of the most important pieces of legislation to be considered at this session and I urge its passage.

I am certain that opponents of this bill will insist that enabling minors to obtain contraceptive advise without parental consent will encourage sexual promiscuity. I can assure you that the medical literature *and* my 10 years as a family physician convinces me that this assertion is not valid. I have never seen a young girl seek a contraceptive in anticipation of a sexual experience. The request almost always occurs following a sexual encounter or as the result of a continuing sexual relationship. Incidentally, I must assure you that the possibility of pregnancy does not deter sexual activity as witnessed by the fact that one out of 10 pregnancies occurs extramaritally and the majority of these are in teenagers. Ladies and gentlemen please don't be led to believe that if you pass this legislation you will be encouraging immoral behavior. I do not think you can legislate morality, you can only legislate the solution to social problems.

My preceding remarks are an attempt to answer what I feel will be the primary arguments of those opposing AB-100. I have several medical reasons for favoring this legislation.

cont'd

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First I feel that the medical examination of admittedly sexually active young people is crucial to the continued identification and treatment of venereal disease. The examination of young people requesting contraceptives will provide another opportunity for such examination in a group that is in a high risk for V.D.

Secondly I feel these young people need professional guidance in the choice of contraceptives. I believe young girls have some access to the pill through various means. It certainly is not that difficult to obtain hard drugs illegally and I am certain that the pill can be obtained far easier. You are all aware that not all women are a candidate for the pill because of medical contraindications. Our young people must have access to this medical advice.

The third point I would like to stress is that the provision of medical advice is not necessarily the prescription for a contraceptive device. In many instances this contact with a professional will enable a troubled teenager to discuss his or her problems-- medical, sexual or social with somebody other than a family member and out of this counselling can come a better realization of the impact of sexual behavior on the individuals future life.

Please give the responsible physicians of this State an opportunity to provide a valuable medical service to teenagers without being subject to the risk of criminal liability under our present laws.

Lastly let me say that the Nevada State Medical Association representing the physicians of this State asks your favorable consideration of AB-100.

Richard C. Inskip, M.D.

RCI:cl

Assembly  
Health Welfare  
Comm. Minutes  
Feb. 26, 1975

HENDERSON CLINIC

67 Lake Mead Drive

HENDERSON, NEVADA 89015

702 565-8701

February 25, 1975

GENERAL PRACTICE:

K.H. BRENNER, M.D.  
KARL S. HAZELTINE, M.D.  
HAROLD L. MILLER, M.D. ABFP  
R.C. PECKHAM, M.D.  
JAMES D. POTTER, M.D.

PEDIATRICS:

ROBERT A. GREINER, M.D. FAAP

ADMINISTRATION:

PERRY O. WILLIAMS

OBSTETRICS & GYNECOLOGY:

W.D. SWACKHAMER, M.D. FACOG

SURGERY:

W. THOMAS REDFERN, M.D. FACS  
WALTER M. TABAR, M.D. FACS

ORTHOPAEDICS:

MICHAEL S. RAVITCH, M.D.

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The Honorable Marion D. Bennett, Chairman  
Health and Welfare Committee  
Nevada State Assembly  
Carson City, Nevada 89701

Dear Chairman Bennett:

I had hoped to attend the committee meeting on February 26, but will not be able to. However, I did want you to know of my interest, and I understand that the Medical Society will be well represented.

It was a pleasure to meet you and to discuss some of our problems at the workshop in Carson City last fall. As you know, I have been extremely interested in the problems of the pregnant teenager and the problems with the resultant children. Consequently, I am quite interested in the availability of contraceptive advice for the teenager.

As you may know, I still feel that education of a teenager regarding sex, family life, and responsibility should be the responsibility of the home; however, it is obvious that it is not succeeding by the increasing number of pregnant teenagers. It has been estimated that there will be well over one million pregnant teenagers this next year.

Three years ago, we instituted a yearly class for all sophomore girls (with written permission from parents) because the pregnancy rate was 8% (50 girls) of the total female population at ~~the~~ High School. The discussion stressed reasons for waiting for sex, why they should, and consequences if they didn't, and then the discussion included contraception for those who had not and were not waiting. It was obvious from the discussions and the interest shown by the girls that some of the girls needed more personal advice. However, the only avenue open without their parents permission was for them to lie about their age and go to the local health department clinic.

A LOCAL

It is my personal opinion after twenty-five years of practice, fourteen years of which as a specialist in obstetrics and gynecology here in Henderson, that the availability of contraception to teenagers without their parents consent will not add to promiscuous behaviour. It is my opinion that the promiscuous girl has found means and ways of contraception and is not anxious to be pregnant. It is the uneducated, or naive, or "good girl" who becomes pregnant quite often. Now that the H.E.W. has cleared the use of the post-coital, or the "morning after" pill for use, I feel it is even more important for us to be able to offer the exposed teenager advice and help without her parents consent, since she can do this without fear of reprisal.

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The basic reason behind my feelings in this matter lie in the child that results from a pregnancy of this nature and the effect on the child's personality, growth, development, and eventual activity in the community. If we could prevent only a few unwanted pregnancies, I feel the effort would be successful.

Thank you for your interest in this matter.

Sincerely,

*W. D. Swackhamer M.D.*

W. D. Swackhamer, M. D.

WDS:sg

FROM: DANIEL R. WALSH  
Nevada State Council of Knights of Columbus

*Exhibit D*  
*Assembly Health +*  
*Welfare Comm. Min*  
*Feb 26, 1975*

ASSEMBLY BILL 100

67

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AB 100 WOULD AUTHORIZE hundreds and perhaps thousands of professional and non-professional people to promulgate information promoting birth control and providing contraceptive devices to any minor child without parental consent. It could also authorize the sterilization of minor children without parental consent or knowledge. This is a DIABOLICIAL proposal and one that is part and parcel of the teenage contraceptive concept.

The crucial language in AB 100 appears under proposed section 2 that is written in italics. That portion in brackets would be deleted. The proposed language recites:

\* \* \* "Except as otherwise provided in NRS 442.250, the consent of the parent or parents or the legal guardian of a minor is not necessary for a local or state health officer, board of health, licensed physician or surgeon, public or private hospital, health and care facility, clinic or counseling service to examine or provide treatment of any minor who understands the nature and purpose of the proposed examination or treatment and its probably outcome, and voluntarily requests it. The consent of the minor to examination or

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1



1 treatment pursuant to this subsection is not sub-  
2 ject to disaffirmance because of minority.

3 3. Except as otherwise provided in NRS  
4 129.050, a person who examines or treats a  
5 minor pursuant to subsection 2 need not inform  
6 the parent, parents or legal guardian until  
7 after he has established rapport with the  
8 minor, at which time he may do so unless in  
9 his judgment such action will jeopardize the  
10 life of the minor or the favorable result of  
11 the treatment.

12 The people described in this paragraph, in my opinion,  
13 would be authorized to give any examination or treatment, they  
14 are not otherwise prohibited by law from performing, to any  
15 minor child without parental consent. The only limitation  
16 in the paragraph is "Except as otherwise provided in NRS 442.250,  
17 the consent of the parent or parents or legal guardian is not  
18 necessary".

19 NRS 442.250 is the legislative authorization for  
20 abortions. This is the only restriction on these people within  
21 this paragraph. I have found no other restrictions on physicians  
22 to perform sterilizations.

23 Paragraph 2 refers to any minor without limitation.  
24 In addition to professionals it authorizes examination and  
25 treatment by:

- 26 1. Health and Care Facility. .

27 NRS 449.007 defines Health and Care Facility  
28 as follows: "includes child care facility,  
29 intermediate care facility, skilled nursing  
30 facility and hospital". (Emphasis Added)

31 None of these individuals or groups has to obtain  
32 parental consent for any treatment they are otherwise authorized

1 to give except abortion. It is only after "rapport" (sympathetic  
2 relationship) has been established that he may contact a parent  
3 unless he feels the life would be jeopardized or the favorable  
4 result of the treatment is jeopardized.

5 Treatment for WHAT?

6 I find no statutory restriction on a surgeon or  
7 physician from performing sterilization or vasectomy with consent.  
8 I can envision a legal possibility of sterilization or vasectomy  
9 of a child without parental consent provided the proper "rapport"  
10 is developed with the child and the child's consent obtained.

11 2. Clinic or counseling service.

12 This is not defined. The only statutory definition  
13 for a counselor is an attorney at law. The question is, does  
14 this bill authorize attorneys or others to prescribed contracept-  
15 ives to minors without parental consent. It could be interpreted  
16 that way.

17 C O N C L U S I O N

18 In my opinion AB 100 is designed as a subterfuge to  
19 enact a teenage contraceptive bill without parental consent  
20 without specifically saying so. I call this legislative deceit.  
21 In the process, the proponents propose a law that is sufficiently  
22 broad as to allow a potential judicial interpretation or a  
23 defense to a legal action that sterilization of minor children  
24 is allowed without parental consent. This is diabolical legisla-  
25 tion and a direct product of the advocacy of the proponents of  
26 the teenage contraceptives bill.

27  
28  
29  
30   
31 DANIEL R. WALSH  
32



*Exhibit E*  
*assembly Health & Welfare*  
*Comm. Min. Feb. 26, 1975*

# Nevada Nurses' Association

1450 East 2nd Street Reno, Nevada 89502 (702) 329-5551

February 26, 1975

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Mr. Marion D. Bennett, Chairman  
Health Assembly Health and Welfare Committee  
Nevada Legislature  
Carson City, Nevada

Dear Chairman Bennett:

Thank you for requesting testimony from the Nevada Nurses Association on AB-100. Our legislative committee has reviewed the bill as drafted. It is our understanding that numerous changes will be introduced. We would like to acknowledge support of the total concept but reserve judgment on the bill until we are better informed. The committee has expressed specific concerns in relation to:

1. Surgical procedures such as abortions being performed without parental knowledge.
2. Surgical or electro-mechanical treatments being performed on minors who are mentally retarded or emotionally ill without parental consent.

We also would like to clarify the testimony used in AB-99. It is our understanding that birth control relates to abortion, and that conception control relates to prevention of conception which we believe is the intent of this bill.

We will be in touch with your committee to provide testimony on both of these bills.

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Ethelda S. Thelen, Executive Director

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Karen Winkler, Co-Chairman,  
Legislative Committee

KW/bd

HEALTH AND WELFARE COMMITTEE MINUTES

Page 1

DATE: February 19, 1975.

No meeting was held due to lack of a quorum.

Chairman Bennett rescheduled the hearing for  
March 5, 1975.

Jane Dunne  
Secretary