

DATE: February 5, 1975

MEMBERS PRESENT: Bennett, Christensen, Craddock, Mann, Murphy
Ford, Lowman, Vergeils

MEMBERS ABSENT: Barengo

GUESTS: See Attached Guest Register

The meeting was called to order by Chairman Bennett at 3:05 p.m.

Assemblymen Dreyer, Brookman and Demers, members of the Legislative Commission Interim Sub-Committee to Study Development of Chinese Medicine (hereinafter referred to as Sub-Committee in these Minutes) appeared to testify on behalf of the various bills on the agenda concerning acupuncture and Chinese medicine.

AB-88 was the first bill to be discussed. Mr. Dreyer explained that it was for the purpose of increasing the license fee for practitioners of Chinese medicine. The original fee was \$100 per year, and after many hearings the Sub-Committee felt the fees should be increased to \$500 per year for doctors of traditional Chinese medicine and doctors of acupuncture, to \$300 per year for doctors of herbal medicine, and \$250 per year for licensed acupuncture assistants.

Mr. Murphy asked if a doctor practicing both Chinese medicine and acupuncture would have to pay for both licenses and was informed by Dr. William Edwards they would not.

Mr. Mann stated that he had received several calls regarding the fees charged for acupuncture and asked if the increase in license fees might not very well increase the doctors' fees to patients. Mr. Dreyer did not think so, and stated that this bill would have no bearing on what doctors could charge and that the committee could not regulate fees.

Mrs. Ford asked if the revenue from the increase in license fees would cover the cost of administration. Mr. Dreyer answered that they anticipated it would.

Dr. William Edwards, Secretary of the Board of Chinese Medicine, testified that the license fees requested in AB-88 were the result of numerous meetings of the Board, and if the fees were approved there would be an income of approximately \$12,000 to \$15,000 which would be adequate to run the Board. He further stated they had withdrawn their request to hire an Executive Secretary as they would not need one if this bill passed.

Mr. William Isaef of the Attorney General's office, stated that he is the attorney for the Board of Chinese medicine and that they, like all other professional licensing boards by law are self-supporting, and no general funding is received whatsoever. The suggested fees would make the Board self-supporting and they would need no further funds. It is a small profession consisting of 28 to 30 licensed doctors. The increase will give supporting funds for the next biennium. If they kept present fees they would have an operating budget of approximately \$600 which would be impossible. The Board is active in litigation in keeping unlicensed people out, so more revenue is required.

Mr. Christensen asked how the fee of \$500 compared with fees charged other doctors. Dr. Edwards said they were comparatively the same. The state license fee for doctors is \$20, but to be a member of the State Medical Association and be able to practice in a hospital the fee is \$400 or more.

Mr. Craddock questioned if the increased licensing fees would not generate a revenue far in excess of what the Board has been operating on. Mr. Isaef stated that with 20 licensed members and 8 or 9 licensed assistants, an income in excess of \$10,000 would be generated. He further stated the investigation fees are very high since it is the only agency that must do investigations outside the United States other than the Gaming Control whose fees are much higher. Investigations must be made in the Orient, behind the Iron Curtain, and many other places.

Mrs. Brookman testified that all of the suggested new bills on acupuncture and Chinese medicine came out of the Sub-Committee's findings over the past two years. Nevada was the first to license acupuncture and had a lot to learn. From hearings, testimony from all over the United States, etc., the Sub-Committee's findings were that this additional legislation was needed.

Dr. Yin Wing Choi was called as a witness and stated that he was a licensed acupuncturist in Las Vegas, and one of the members on the Board of Chinese medicine. He did not definitely question the proposed fees for those practicing in Nevada, but felt that some consideration might be given to those practicing out of the state. Applicants pay almost \$400 for an investigation fee, \$100 of which is unrefundable.

Upon questioning by Mr. Murphy, Dr. Choi stated that there are people who obtain a license in Nevada and go to other states to practice since no other state issues licenses. Some people in Canada are claiming they have licenses from Nevada when they do not.

The discussion turned to AB-89.

Mr. Dreyer stated this bill was requested as a result of the Sub-Committee's study and testimony from many individuals that the definition of acupuncture should be broadened to include the use of nonpiercing needles, digital pressure, electronic probes, etc., as many practicing acupuncturists used these methods.

Mrs. Brookman corroborated Mr. Dreyer's testimony, and said the Sub-Committee had learned that these additional things came under the practice of Chinese medicine and should be included in the definition.

Mr. Hank H. Pesner, representing the Chiropractic Association of Nevada, stated that they were concerned about Sec. 1, Para. B, lines 8, 9 and 10, since chiropractors had been using digital pressure as an integral part of their manipulations for many years, but that someone might challenge their right to do this and say they were practicing Chinese medicine. They request the bill to be amended by changing Paragraph B to exempt the chiropractic profession.

Mrs. Ford asked if the definition of chiropractor in the present state law did not define what chiropractors were allowed to do. Mr. Pesner agreed that it did, but reiterated they did not want someone to say they were practicing acupuncture.

Mr. Isaefff stated he was the attorney for the Board of Chiropractors as well as the Board of Chinese Medicine, and if there is a problem, which he doesn't think there is, it could be resolved between the two Boards.

Mr. Lon Harter, President of Western Nevada Society of Chiropractors, also expressed concern about the bill for the same reasons as Mr. Pesner.

Mr. Demers stated that legal counsel had advised the Sub-Committee that they were dealing only with Chinese medicine and the Board of Chinese medicine could not regulate chiropractors. As long as chiropractors do not advertise that they are practicing Chinese medicine, this law would not affect them. No one segment of the healing arts can interfere in the other area of healing arts.

Mrs. Lillian Silva spoke of her successful experiences with acupuncture, felt that it was needed, but also felt that the fees for such services were too high and should be regulated.

Dr. Choi spoke again, disagreeing with the broadening of the definition of acupuncture. Mrs. Brookman and Mr. Dreyer felt that Dr. Choi had requested them to request this broadened definition in previous hearings, and Mr. Dreyer would discuss the matter with him again.

Mr. Bennett stated additional people would appear to testify on this matter next week, and the matter would be continued at that time.

AB-83 was the last matter discussed. Mr. Ernest Scruggs of the Food and Drug Div. of the Health Dept., stated this bill was primarily for economic reasons. When a food establishment in an outlying area changes hands, it is very expensive to send a sanitarian out for a special trip to inspect the premises. If it has been a grade-A establishment, under this bill they may be issued a conditional permit until the next scheduled inspection.

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Mr. S. H. Mastroianni, Superintendent of Sanitation for the State Health Department, also testified that this would help the applicants by allowing them to remain open until an inspection could be made.

Mr. Mann moved to pass AB-83, and Mrs. Ford seconded the motion. Unanimously approved by Committee members present. (See Legislation Action sheet attached for vote tally.)

The meeting was adjourned at 4:20 p.m.

Respectfully submitted,

Jane Dunne, Secretary.

ASSEMBLY

AGENDA FOR COMMITTEE ON HEALTH AND WELFARE

Date Feb. 5, 1975 Time 3:00 P.M. Room 240

7

Bills or Resolutions to be considered

Subject

Counsel requested*

THIS AGENDA CANCELS AND SUPERSEDES THE AGENDA FOR FEBRUARY 3, 1975.


<i>Continued 3-5-75</i>	<i>Passed</i>	AB 83	Allows state health authority to issue conditional operating permit to food establishments prior to inspection.	No	
		<i>De Pass</i>	AB 88	Increases annual license fees for practitioners of traditional Chinese medicine.	"
		<i>De Pass</i>	AB 89	Broadens definition of acupuncture.	"
		<i>Indefinitely Postponed</i>	AB 92	Requires that examinations for licenses to practice traditional Chinese medicine be in English language.	"
		<i>De Pass</i>	AB 94	Regulates employment of acupuncture assistants.	"

*Please do not ask for counsel unless necessary.

February 5, 1975

MEMO TO ASSEMBLYMEN GETTO
DINI
HOWARD
HEANEY
ROBINSON
POLISH
JACOBSEN

AB 11 has been scheduled for hearing in the Committee
on Health and Welfare on February 12, 1975, at 3:00
o'clock p.m., Room 240.



Secretary
Health and Welfare Committee

ASSEMBLY

AGENDA FOR COMMITTEE ON HEALTH AND WELFARE

Date Feb. 5, 1975 Time 3:00 P.M. Room 240

17

Bills or Resolutions to be considered

Subject

Counsel requested*

THIS AGENDA CANCELS AND SUPERSEDES THE AGENDA FOR FEBRUARY 3, 1975.

Panel
3-5
Continued

AB 83	Allows state health authority to issue conditional operating permit to food establishments prior to inspection.	No
AB 88	Increases annual license fees for practitioners of traditional Chinese medicine.	"
AB 89	Broadens definition of acupuncture.	"
AB 92	Requires that examinations for licenses to practice traditional Chinese medicine be in English language.	"
AB 94	Regulates employment of acupuncture assistants.	"

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58TH NEVADA LEGISLATURE

HEALTH AND WELFARE COMMITTEE
LEGISLATION ACTION

DATE February 5, 1975

SUBJECT AB-83

MOTION: _____

Do Pass xx Amend ___ Indefinitely Postpone ___ Reconsider ___

Moved By Mr. Mann Seconded By Mrs. Ford

AMENDMENT _____

Moved By _____ Seconded By _____

AMENDMENT _____

Moved By _____ Seconded By _____

VOTE:	MOTION		AMEND		AMEND	
	Yes	No	Yes	No	Yes	No
Bennett	<u>x</u>	---	---	---	---	---
Christensen	<u>x</u>	---	---	---	---	---
Barengo	<u>Absent</u>	---	---	---	---	---
Craddock	<u>x</u>	---	---	---	---	---
Mann	<u>x</u>	---	---	---	---	---
Murphy	<u>Absent</u>	---	---	---	---	---
Vergiels	<u>x</u>	---	---	---	---	---
Ford	<u>x</u>	---	---	---	---	---
Lowman	<u>x</u>	---	---	---	---	---

TALLY: 7

Original Motion: Passed xx Defeated ___ Withdrawn ___

Amended & Passed _____ Amended & Defeated _____

Amended & Passed _____ Amended & Defeated _____

Attach to Minutes Feb. 5, 1975
Date

GUEST REGISTER

HEALTH & WELFARE COMMITTEE

Date: Feb 5, 1975

Check if
you wish
to speak

NAME

REPRESENTING

DENNIS BAUGHMAN

LAS VEGAS REVIEW-JOURNAL

Joe Morrow

Appual

Jim Jackson

P.T. association

Lillian Silva

J. A. P. Historian

BILL ISAIEFF

ATTORNEY GENERAL

Dr. Yin Wing Choi

myself

Brenda Baxter

State Planning Co-ord

Paul Stone

UNR

Conrad H. Lereon

Health Div

Eileen Broopman

assemblyman

Jan H. Rose

CHIROPRACTIC ASSIN OF NVADA

Don Hunter

Chiropractor Pro Western ^{Univ} ~~Soc~~

Mike Nash

Health Div

Charles A. Wahrenbrock

Dep. of H.R.

Joy Thompson

WNCC Political Science Class

Catalina Hernandez

Earl Wooster High School

Lady Bugnitz

WNCC Political Science class

Pick Griffin

WNCC Poly Sci CLASS. 153

Don Deemer

Assemblyman

S. D. Hostenian

Sup. Sanitarian St. Health Dept