

ASSEMBLY HEALTH & WELFARE COMMITTEE MINUTES

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May 16, 1975

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

MEMBERS ABSENT: MR. CRADDOCK
MR. MURPHY
MR. BARENGO

GUESTS: MILOS TERZICH, Am. Life Ins. Assn.
WILL DIESS, L.V. Police Protective Assn.
MIKE NAVARRO, Nevada Physicians Union

The meeting was called to order at 3:50 p.m. by Chairman Bennett.

SB-594, which provides for the Board of Medical Examiners to establish guidelines for physicians in matters relating to advertising and unethical conduct, was the first matter for discussion.

Mike Navarro, Nevada Physicians Union, stated that Dr. John L. Holmes, President of the Nevada Physicians Union, was unable to be present today, but had sent a letter to the members of the Committee. Mr. Navarro read Dr. Holmes' letter into the record. A copy of such letter is attached hereto, marked Exhibit A, and made a part of these Minutes.

The next bill for discussion was SB-571 which includes policemen within the category of persons who may obtain occupational disease compensation for diseases of lungs. Mr. Will Diess, President of the Las Vegas Police Protective Association, appeared in support of the bill.

Mr. Diess presented a letter from Vernon Bennett, Executive Officer of the Public Employees Retirement System, a copy of which is attached hereto marked Exhibit B. This letter indicates that the cost of putting the policemen on this program would be minute. Police and firemen are now isolated in one separate fund - the public safety fund. There are several volunteer fire departments in the state and in certain instances the policemen are serving in two capacities. They have no coverage when working as firemen. This bill would give them protection.

SB-588, requiring health insurance policies to provide certain benefits for treatment of alcohol and drug abuse, was called next.

Pat Bates, State Program Coordinator for the Bureau of Alcohol and Drug Abuse, stated this bill in essence allows applicants for insurance the option of coverage for the treatment of alcoholism. Alcoholism has been declared to be a disease and patients should have coverage to get medical treatment. Bureau of Alcohol and Drug Abuse supports and endorses this bill.

Milos Terzich, representing the Health Insurance Association of America and the American Life Insurance Association, stated they were not opposed to the purpose or the concept of the bill. The bill now includes the amendments he proposed at the Senate hearing.

They have taken the position that perhaps this should wait for more broad and intelligent legislation since they have no real experience in the coverage of alcohol and drug abuse patients and therefore no prediction of cost estimates. There has recently been a five million dollar grant given the Health Insurance Association by H.E.W. to study this problem and it is a three year study. He feels perhaps the legislation could wait until the study is completed so there will be some idea of the cost to the applicants.

Mr. Christensen asked if Mr. Terzich didn't feel that the bill could do some good in the 3 year interim. Mr. Terzich said it definitely would; however he just wanted the Committee to know that the insurance companies would have to set some arbitrary figure for the cost of the policies. If the people can afford it, they can be covered.

Chairman Bennett explained that SB-593 provided for the suspension of licenses to optometrists who failed to comply with the requirement of continuing education. He further explained that SB-558 clarifies types of county hospital service chargeable to the counties in emergency cases.

COMMITTEE ACTION:

SB-558 - Mrs. Ford moved "do pass"; Mr. Mann seconded.
Unanimously passed.

SB-571 - Mr. Mann moved "do pass"; Mr. Christensen seconded.
Passed by Committee with Mr. Lowman dissenting.

SB-593 - Mr. Christensen moved "do pass"; Mr. Mann seconded.
Unanimously passed by all present.

SB-588 - Mr. Lowman moved "do pass"; Mr. Mann seconded.
Unanimously passed by all present.

SB-594 - Mr. Lowman moved "do pass"; Mr. Mann seconded.
Unanimously passed by all present.

See Legislation Action sheets attached for detail.

The meeting was adjourned at 3:50 p.m.

Respectfully submitted,

Jane Dunne, Secretary

ASSEMBLY
HEARING

COMMITTEE ON..... HEALTH & WELFARE
Friday
Date May 16, 1975..... Time 3:00 p.m. Room 240.....

Bill or Resolution to be considered	Subject
<i>Do Pass</i> S.B. 588 ⁵⁵⁸	Clarifies types of county hospital service chargeable to county in emergency cases.
<i>Do Pass</i> S.B. 571 →	Includes policemen within category of persons who may obtain occupational disease compensation for diseases of lungs.
<i>Do Pass</i> S.B. 593 ←	Provides for suspension of license optometrists who fail to comply with requirement of continuing education.
<i>Do Pass</i> S.B. 588 -	Requires health insurance policies to provide certain benefits for treatment of alcohol and drug abuse.
<i>Do Pass</i> S.B. 594 -	Provides for board of medical examiners to establish guidelines for physicians in matters relating to advertising and unethical conduct.

58TH NEVADA LEGISLATURE

HEALTH AND WELFARE COMMITTEE
LEGISLATION ACTION

DATE 5-16-75

SUBJECT SB-594

MOTION: _____

Do Pass x Amend _____ Indefinitely Postpone _____ Reconsider _____

Moved By Mr. Lowman Seconded By Mr. Mann

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	---	---	---	---	---	---
Craddock	---	---	---	---	---	---
Mann	<u>x</u>	---	---	---	---	---
Murphy	---	---	---	---	---	---
Vergiels	<u>x</u>	---	---	---	---	---
Ford	<u>x</u>	---	---	---	---	---
Lowman	<u>x</u>	---	---	---	---	---

TALLY: 6 . 0

Original Motion: Passed x Defeated _____ Withdrawn _____

Amended & Passed _____ Amended & Defeated _____

Amended & Passed _____ Amended & Defeated _____

Attach to Minutes 5-16-75
Date

58TH NEVADA LEGISLATURE

HEALTH AND WELFARE COMMITTEE
LEGISLATION ACTION

DATE May 16, 1975

SUBJECT SB-588

MOTION: _____

Do Pass x Amend _____ Indefinitely Postpone _____ Reconsider _____

Moved By Mr. Lowman Seconded By Mr. Mann

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	---	---	---	---	---	---
Craddock	---	---	---	---	---	---
Mann	<u>x</u>	---	---	---	---	---
Murphy	---	---	---	---	---	---
Vergiels	<u>x</u>	---	---	---	---	---
Ford	<u>x</u>	---	---	---	---	---
Lowman	<u>x</u>	---	---	---	---	---

TALLY: 6 , 0

Original Motion: Passed x Defeated _____ Withdrawn _____

Amended & Passed _____ Amended & Defeated _____

Amended & Passed _____ Amended & Defeated _____

Attach to Minutes 5-16-75
Date

58TH NEVADA LEGISLATURE

HEALTH AND WELFARE COMMITTEE
LEGISLATION ACTION

DATE May 16, 1975

SUBJECT SB-593

MOTION: _____

Do Pass Amend _____ Indefinitely Postpone _____ Reconsider _____

Moved By _____ Seconded By _____

AMENDMENT _____

Moved By _____ Seconded By _____

AMENDMENT _____

Moved By _____ Seconded By _____

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

TALLY: 5 0

Original Motion: Passed Defeated _____ Withdrawn _____

Amended & Passed _____ Amended & Defeated _____

Amended & Passed _____ Amended & Defeated _____

Attach to Minutes 5-16-75
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58TH NEVADA LEGISLATURE

HEALTH AND WELFARE COMMITTEE
LEGISLATION ACTION

DATE May 16, 1975

SUBJECT SB-571

MOTION: _____

Do Pass Amend _____ Indefinitely Postpone _____ Reconsider _____

Moved By Mr. Mann Seconded By Mr. Christensen

AMENDMENT _____

Moved By _____ Seconded By _____

AMENDMENT _____

Moved By _____ Seconded By _____

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

TALLY: 5 , 1

Original Motion: Passed Defeated _____ Withdrawn _____

Amended & Passed _____ Amended & Defeated _____

Amended & Passed _____ Amended & Defeated _____

Attach to Minutes 5-16-75
Date

58TH NEVADA LEGISLATURE

HEALTH AND WELFARE COMMITTEE
LEGISLATION ACTION

DATE May 16, 1975

SUBJECT SB-588

MOTION: _____

Do Pass Amend _____ Indefinitely Postpone _____ Reconsider _____

Moved By Mrs. Ford Seconded By Mr. Mann

AMENDMENT _____

Moved By _____ Seconded By _____

AMENDMENT _____

Moved By _____ Seconded By _____

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

TALLY: 6 0

Original Motion: Passed Defeated _____ Withdrawn _____

Amended & Passed _____ Amended & Defeated _____

Amended & Passed _____ Amended & Defeated _____

Attach to Minutes 5-16-75
Date



NEVADA PHYSICIANS UNION

1212 SO. CASINO CENTER BLVD. • LAS VEGAS, NEVADA 89104
LOCAL 676, S.E.I.U., AFL-CIO 702/385-7694



MEMBERS OF THE ASSEMBLY HEALTH AND WELFARE COMMITTEE:

Senate Bill 594, the legislation you are considering today, aids us in the request, and in some cases demand, that many of you have made this session: "Clean up your own act."

We are concerned here with ethics, which inevitably is the quality of medicine received. The vast majority of Nevada doctors have set themselves very high standards of practice; it is the remaining few that damage them all.

The basic issue at hand is the strengthening of the State Board of Medical Examiners, the governing body of all doctors. If we can allow the board to promulgate principles of medical ethics, and with these determine whether a physician's conduct is or is not ethical, then we have given the board the power to remove a doctor's license BEFORE a patient is harmed.

The doctors of the Nevada Physicians Union are dedicated to giving the best medical care possible. We emphatically urge the passage of SB 594.

Sincerely,

John L. Holmes, Pres.
NEVADA PHYSICIANS UNION

VERNON BENNETT
EXECUTIVE OFFICER

WILL KEATING
ASSISTANT EXECUTIVE OFFICER

STATE OF NEVADA



EXHIBIT B, ASSEMBLY
HEALTH & WELFARE
COMM. MINUTES
5-16-75

RETIREMENT BOARD
ELBERT B. EDWARDS
CHAIRMAN
ROBERT C. WEEMS
VICE CHAIRMAN
MEMBERS
CHARLES H. COLLINS
L. ROSS CULBERTSON
BOYD MANNING
DONALD L. REAM
GLENDON F. WALTHER

PUBLIC EMPLOYEES RETIREMENT SYSTEM

P.O. Box 1569
CARSON CITY, NEVADA 89701
TELEPHONE (702) 885-4200

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May 1, 1975

Mr. Will Diess, President
Las Vegas Police Protective Association
1505 Flag Circle
Las Vegas, NV 89102

Dear Will:

Per your request, we have reviewed all disability retirees in the System to determine if any person has been placed on disability due to smoke inhalation. Our records indicate that we have 141 disability retirees. None of our disability retirees were disabled because of smoke inhalation. Only two were placed on disability because of pulmonary emphysema. Our records indicate that eight of the 141 disability retirees are police and firemen. Of this number, three went on disability because of heart disease, three went on disability because of back troubles, one because of severe arthritis, and one for severe burns. Smoke inhalation has not previously been a problem with our disability retirees.

Please be assured that we are available to answer any further questions you may have regarding this or any other retirement matter.

Sincerely,

Vernon Bennett

Vernon Bennett
Executive Officer

VB/sm

promptly hold a hearing on the issue of his mental illness. Such hearing shall be conducted in as informal a manner as may be consistent with orderly procedure and in a physical setting not likely to have a harmful effect on the mental health of the person named in such petition.

2. In conducting the hearing as provided in subsection 1, the district court shall hear testimony of any person whose testimony may be relevant and shall receive all relevant evidence which may be offered. Any person with respect to whom a hearing is held under this section shall be present and may, at the discretion of the court, testify at such hearing.

(Added to NRS by 1967, 1671; A 1968, 46)

433.693 Employment, appointment, compensation of counsel for alleged mentally ill person; recess of proceedings; duties of district attorney.

1. The alleged mentally ill person or any relative or friend on his behalf is entitled to retain counsel to represent him in any proceeding before the district court and if he fails or refuses to obtain counsel, the court shall advise him and his guardian or next of kin, if known, of such right to counsel and may appoint counsel.

2. Any counsel appointed pursuant to subsection 1 shall be awarded compensation by the court for his services in an amount determined by it to be fair and reasonable, not to exceed \$300. Such compensation shall be charged against the estate of the person for whom such counsel was appointed, or if such person is indigent and the appointment of counsel is made for a proceeding pursuant to:

(a) NRS 433.691, such compensation shall be charged against the county where the person to be committed last resided.

(b) NRS 433.715, such compensation shall be charged against the state.

3. The court shall, at the request of any counsel so appointed, grant a recess in such proceeding, for not more than 5 days, to give such counsel an opportunity to prepare his case.

4. Each district attorney or his deputy shall appear and represent the state in all commitment proceedings in his county. The district attorney is responsible for the presentation of evidence, if any, in support of the commitment of a person admitted to a hospital pursuant to NRS 433.673.

(Added to NRS by 1967, 1672; A 1968, 47)

433.695 Order of release, hospitalization for indeterminate period, other alternative course of treatment. If the district court finds, after a hearing pursuant to NRS 433.691 and 433.693, that the person with respect to whom such hearing was held:

1. Is not mentally ill, or if mentally ill is not likely to injure himself or others if allowed to remain at liberty, the court shall immediately order his release.

2. Is mentally ill and, because of that illness, is likely to injure himself or others if allowed to remain at liberty, the court may order his

hospitalization for an indeterminate period, or order any other alternative course of treatment which the court believes will be in the best interests of such person or of the public.

(Added to NRS by 1967, 1672)

433.697 Transfer of nonresident committed to state facility.

1. If a person ordered committed to the Nevada mental health institute, the Las Vegas mental health center or other facility operated by the division by the court pursuant to NRS 433.695 is found by the court not to be a resident of the State of Nevada and to be a resident of another place, he shall be transferred to the state of his residence if an appropriate institution of that state is willing to accept him.

2. The approval of the administrator of the division shall be obtained before any transfer is made pursuant to subsection 1.

(Added to NRS by 1967, 1676; A 1968, 49; 1969, 922, 1075; 1973, 112)

PAYMENT OF COSTS OF HOSPITALIZATION

433.698 Payment of hospitalization costs of voluntary patients, non-professing persons. No person may be admitted to a hospital pursuant to NRS 433.665 or 433.669 unless mutually agreeable financial arrangements relating to the costs of hospitalization are made between the hospital and the patient or person requesting his admission.

(Added to NRS by 1968, 46; A 1969, 446)

433.6981 Payment of hospitalization costs prior to commitment; recovery of expenses by county.

1. The expenses of hospitalization of:

(a) A mentally ill person prior to commitment; or

(b) A person who is admitted to a hospital pursuant to this chapter and released without commitment; shall be paid by the county in which such person resides, unless voluntarily paid by such person or on his behalf.

2. The county may recover all or any part of the expenses paid by it, in a civil action against:

(a) The person whose expenses were paid;

(b) The estate of such person; or

(c) A relative made responsible by NRS 433.699, to the extent that financial ability is found in such action to exist.

(Added to NRS by 1968, 51)

433.699 Liability of relatives, estate for costs of mentally ill person's maintenance; action to recover amounts due.

1. When a person is committed to a hospital under one of the various forms of commitment prescribed by law, the parent or parents of a mentally ill person who is a minor or the husband or wife or adult child of a mentally ill person, if of sufficient ability, and the estate of such mentally