

HEALTH, WELFARE AND STATE INSTITUTIONS

Minutes of Meeting - May 13, 1975

The thirtieth meeting of the Health, Welfare and State Institutions Committee was held on May 13, 1975 at 5:00 p.m. in Room 323.

COMMITTEE MEMBERS PRESENT: Chairman Lee E. Walker
 Senator Neal
 Senator Gojack
 Senator Schofield
 Senator Young

OTHERS PRESENT: See Exhibit A

S.B. 602 - Requires cases of death caused or suspected to be caused by sudden infant death syndrome to be referred to coroner; authorizing coroner to perform autopsies in such cases.

Karen Doescher, Guild for Infant Survival, spoke in favor of the bill which would make it mandatory for an autopsy in the state when there is a question of crib death. Between 10,000 to 40,000 children per year die of unknown causes; the variance in the number is due to the tabulation of cases which are done differently from state to state -- some require tabulation and some do not. They would like all cases tabulated to enable them to research this area further. Although it is called the sudden infant death syndrome, it can happen to children up to 15 years of age. It is the leading killer of children up to the age of 2, and it is the second leading killer of children up to the age of 15. The autopsy would require no parental consent; it only need be suspected.

Senator Young asked who would pay the expenses; Ms. Doescher replied that the counties would have to pay, and although California appropriated \$17,000 for this, she does not know what the actual cost would be in Nevada. Senator Young expressed concern with the medical costs that would be involved and asked what other states have this type of legislation. Ms. Doescher replied that California and several states in the east have it.

Senator Walker suggested that the wording "the counties may, by ordinance be included in this bill.

Senator Schofield moved "Do Pass" and amend; seconded by Senator Neal; Senator Young voted no; Senators Hilbrecht and Herr absent; motion carried by those present.

A.B. 747 - Exempts cosmetology training programs at specified correctional institutions from certain requirements.

Mr. E. Pogue, Warden, Nevada State Prison, advised that are in favor of this bill which would exempt cosmetologists at the prison from all of the requirements.

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Senator Neal moved "Do Pass"; seconded by Senator Gojack; Senators Schofield, Hilbrecht and Herr absent; motion carried.

A.B. 746 - Authorizes state board of nursing to issue interim permits to practice to certain professional and practical nurse applicants.

Mr. Richard Gray, Orvis School of Nursing, spoke in favor of the bill and provided the committee a copy of his testimony (see Exhibit B).

Senator Walker expressed concern that other boards may feel they should have the same privilege and gave an example of the possibility of licensing acupuncturists before they take the examination. Mr. Gray stated that they have 160 graduating nurses in the state and in the past, interim permits were issued. The hospitals will hire these graduating nurses under different titles. There are people in Nevada going to other states because they will give them interim permits.

Senator Gojack asked how many times these interim permits have been revoked; Mrs. Phyllis Hansen advised that she has been informed by Jean Peavy that this has only happened about twice.

JoDeen Flack, a registered nurse at the School of Nursing, advised that the purpose of the interim permit is to allow them to function as graduate nurses between the 3 to 4 months they must wait after graduating before taking the exam. In the existing Nursing Practice Act, there is a statement intended for the purpose of the permit; however, the Attorney General has indicated that the same statement in the existing law did not cover this interim permit. Senator Young asked when the Attorney General's opinion came down; Mr. Gray stated that it was on March 11, 1975, and it was a verbal opinion given to Jean Peavy.

Senator Schofield moved "Do Pass"; seconded by Senator Neal; Senators Herr, Hilbrecht absent; motion carried.

A.B. 724 - Amends licensing provisions for Oriental medicine by deleting references to licenses or certificates from foreign governments.

Mr. Jim Joyce spoke in favor of the bill and stated that since the Board of Oriental Medicine has had experience in this area, they should be able to determine qualifications for licensing. Mr. Joyce advised that they are asking for an amendment to this bill (see Exhibit C for amendment).

Dr. Williams stated that they have no objection to this; and Deputy Attorney General William Isaefff recommends it.

Senator Schofield moved "Do Pass" and amend; seconded by Senator Young; Senators Herr and Hilbrecht absent; motion carried.

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Being no further business at this time, the meeting was adjourned
at 6:00 p.m.

Respectfully submitted,


Sharon W. Maher, Secretary

APPROVED:


Lee E. Walker, Chairman

ROOM # 323

May 13

DATE

NAME	ORGANIZATION	ADDRESS
Richard Gray	ORVIS SCHOOL OF NURSING 710 JONAS ST. #4 RENO	RENO UNR
Carol Clemens	ORVIS SCHOOL OF NURS	RENO - UNR
Helen Kelly	ORVIS School of NURS	RENO UNR
Judith Howard	ORVIS " "	RENO, Med
Lois George	Orvis School of Nursing	RENO, Nev
Jo Ann Clark	R.N.	RENO, Nev
Phyllis Hauser	NNA	
Janet Jones	WNCC School of Nursing	RENO, Nev
Deki Hamilton	WNCC School of Nursing - NSNA	RENO, Nevada
Carolyn Littlewood	President, Nev. Student Nursing Assoc WNCC School of Nursing	RENO, Nevada
Patricia Metzger	Orvis School of Nursing	RENO, Nev. UNR
L. Brown	RN	CARSON
Karen Daftcher	Guild for Infant Survival	CARSON

ON MARCH 11, 1975 A COMMUNICATION WAS SENT TO EMPLOYERS OF LICENSED NURSES AND SCHOOLS OF NURSING FROM JEAN PEAVY, EXECUTIVE SECRETARY OF THE STATE BOARD OF NURSING. ACCORDING TO MRS. PEAVY, THE BOARD OF NURSING HAD BEEN INFORMED BY A REPRESENTATIVE FROM THE OFFICE OF THE ATTORNEY GENERAL THAT IT WAS NOT LEGAL TO ISSUE AN INTERIM PERMIT OR TEMPORARY LICENSE TO A NEW GRADUATE OF ANY PROGRAM IN NURSING. THIS NEW INTERPRETATION OF THE NURSE PRACTICE ACT CAME AS A SURPRISE TO THE NURSING COMMUNITY. FOR THE LAST NINE YEARS, THE BOARD OF NURSING HAD IN FACT ISSUED INTERIM PERMITS TO NEW GRADUATES OF ACCREDITED SCHOOLS OF NURSING. MANY NURSES, STUDENT NURSES, AND NURSING ORGANIZATIONS ARE CONCERNED AS TO THE RAMIFICATIONS OF THIS INTERPRETATION OF THE PRACTICE OF NURSING IN THIS STATE.

LET ME EXPLAIN ^{WHAT} AN INTERIM PERMIT IS AND WHAT IT MEANS TO PROFESSIONAL AND PRACTICAL NURSING. PROFESSIONAL NURSING REFERS TO REGISTERED NURSING WHICH REQUIRES FROM TWO TO FOUR YEARS OF EDUCATION. THE GRADUATE OF AN R.N. PROGRAM MAY HOLD AN ASSOCIATE DEGREE, A DIPLOMA, OR A BACCALAUREA~~A~~ DEGREE. PRACTICAL NURSING REFERS TO LICENSED PRACTICAL NURSING WHICH REQUIRES ONE YEAR OF EDUCATION. THE GRADUATE OF AN L.P.N. PROGRAM RECEIVES A DIPLOMA.

STATE EXAMINATION TESTS FOR NURSING LICENSURE ARE GIVEN AT SCHEDULED INTERVALS EACH YEAR. THESE TIMES ARE DETERMINED BY THE STATE BOARD OF NURSING. GRADUATES MUST OFTEN WAIT FOR ONE TO TWO MONTHS FOLLOWING GRADUATION FOR A SCHEDULED TIME TO WRITE THEIR EXAMINATIONS. THERE IS THEN A SIX (6) TO EIGHT (8)

WEEK INTERVAL BEFORE RESULTS OF EXAMINATIONS ARE RECEIVED. ALL TOTAL, THIS MAKES A THREE (3) TO FOUR (4) MONTH WAITING PERIOD, DURING WHICH THE GRADUATE IS UNABLE TO PRACTICE NURSING LEGALLY AT THE LEVEL AT WHICH HE OR SHE HAS BEEN EDUCATED. THE FUNCTION OF THE INTERIM PERMIT IS TO ALLOW THE GRADUATE OF AN ACCREDITED SCHOOL OF NURSING TO FUNCTION AS A LICENSED ^{GRADUATE} NURSE UNTIL RESULTS OF STATE BOARDS ARE RECEIVED. I ASK YOU TO NOTE THAT WE ARE SIMPLY ASKING FOR LEGALIZATION OF THE ISSUENCE OF INTERIM PERMITS, AND THAT THESE SAME PERMITS HAVE BEEN ISSUED BY THE STATE BOARD OF NURSING FOR THE LAST NINE YEARS. *WE ARE THEREFORE SETTING NO NEW PRECEDENT BUT ~~LEGALIZING~~ LEGALIZING AN ESTABLISHED PRACTICE.* MANY STATES ALREADY HAVE NURSE INTERIM PERMITS WRITTEN INTO THEIR NURSE PRACTICE ACTS. AMONG THE WESTERN STATES ARE ^{WASHINGTON} ~~NEVADA~~, UTAH, ARIZONA, CALIFORNIA, AND COLORADO. THE RESULTS OF THEIR PROVIDING LICENSURE FOR GRADUATE NURSES ARE MORE GRADUATES STAYING IN THE STATE, SINCE THEY NEED NOT WAIT ON STATE BOARD TEST RESULTS, AND AS A RESULT A LARGER POPULATION OF NURSES TO FULFILL THE COMMUNITY NEEDS.

THE INTERIM PERMIT WILL FUNCTION AS AN ENTICEMENT FOR NEVADA EDUCATED NURSES TO STAY AND WORK IN NEVADA.

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THE NURSING COMMUNITY HAS IDENTIFIED THE NEED FOR A CHANGE IN THE NURSE PRACTICE ACT IN RELATION TO INTERIM PERMITS, AND HAS STRONGLY BACKED THE PROPOSAL BEFORE YOU. AMONG THESE GROUPS ARE:

NEVADA NURSES ASSOCIATION
 NEVADA HOSPITAL ASSOCIATION
 NEVADA LICENSED PRACTICAL NURSES ASSOC.-DIV. 1
 NEVADA STUDENT NURSES ASSOCIATION
 ARTICULATION TASK FORCE
 FACULTY OF ORVIS SCHOOL OF NURSING
 NURSING STUDENT BODY-WNCC
 SENIOR NURSING CLASS-OSN-UNR

NEVADA STATE ASSEMBLY - PASSED AB796 BY 40-0

IN ADDITION, MANY OTHER PROFESSIONAL AND PRACTICAL NURSES

SUPPORT OUR PROPOSAL. AS A STUDENT NURSE SOON TO GRADUATE,

I ASK YOU TO RECOMMEND THIS PROPOSAL TO THE ASSEMBLY. IT IS

A MUCH NEEDED PIECE OF LEGISLATION THAT IS LONG OVERDUE.

SENATE FOR A SPADY
 PASSAGE

REASONS FOR REPEALING SECTION 634A.220, which states:

"It is unlawful for any person licensed under the provisions of this chapter to prescribe herbal medication unless the herbs prescribed have been approved by the food and drug administration for use for the prevention or alleviation or cure of illness or disease or for relief from suffering."

- 1) There is no similiar provision in any other healing art statute.
- 2) There are some herbs approved by FDA, but not publicized, allowing herbs to be used.
- 3) If Doctor of Oriental Medicine wants to perscribe certain herbs, they should be able to do so, and people should be able to fill the prescription.
- 4) The entire area is covered by federal rggulations, and this provision is causing problems for state board. The entire section is unnecessary, because it is preempted by x federal regulations.
- 5) The federal x~~x~~ rules and regulations must be followed and the Nevada section has no standing.
- 6) Dr. Edwards agrees with this p~~o~~sition and is prepared to support it.