

Senate

HEALTH, WELFARE AND STATE INSTITUTIONS

Minutes of Meeting - May 9, 1975

The twenty-ninth meeting of the Health, Welfare and State Institutions Committee was held on May 9, 1975 at 12:00 p.m. in Room 323.

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

OTHERS PRESENT: See Exhibit A

S.B. 588 - Requires health insurance policies to provide certain benefits for treatment of alcohol and drug abuse.

Mr. Miloš Terzich, in representing the American Life Insurance Association and the Health Insurance Association of America, provided the committee with copies of proposed amendments (see Exhibit B for copy). Mr. Terzich advised that they are not opposed to the purpose or concept of the bill itself; however, there is presently no experience in the area of drug and alcohol coverages and, therefore, there is no prediction of cost estimates in this area. Health insurance entered into an agreement with HEW to receive \$5,000,000 grant to study alcoholism. The main areas to be studied are the quality of care in existing centers and the cost of treatment and the practicality of insuring this condition. This will be a 3-year study, and Mr. Terzich suggested that this legislation be postponed until experience is had in this area and the study is completed. Mr. Terzich further stated that if the legislature feels it is proper to provide this coverage, they feel it should be optional. Mr. Terzich feels there should be clarification between basic and major medical policies.

Senator Walker asked if any companies were providing this coverage now. Mr. Terzich replied that he understands there is one company in Nevada that provides some coverage in this area.

Mr. Bob Alkire, Kennecott Copper, stated that he is concerned about this bill. They have been in this for many years and have a program called "Insight" which is nationally recognized. They require an extensive range of professionally trained people -- clinical psychologist, M.D.'s, etc. Mr. Alkire advised that they use this Insight program in Utah and can draw upon a wide range of alcohol and drug abuse specialists. They do not have those kind of specialists in Ely or in eastern Nevada. They feel if this bill were passed, they would have to abandon their participation in the Utah Insight program and move to a lesser program in this state. Some of the factors contained in this bill are things that are negotiated across the table in collective bargaining -- that is the way they should be dealt with.

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Mr. Stan Warren, Nevada Bell, advised that this would require that health insurance policies cover this type of care and it would then get into areas of contract benefits for labor contracts. Mr. Warren advised that they have an extensive program for drug and alcohol abuse in the company. Mr. Warren stated that they do oppose this bill.

Sharon Greene, Nevada Hospital Assn., advised that this bill was supported extensively in the Assembly last week. Ms. Greene does not feel that there would be that much additional costs - they are being admitted to the hospitals and treated now by the physicians using a different diagnosis. Ms. Greene agrees with Mr. Terzich, in that it should not be mandatory.

Senator Herr advised that she is very much for this bill, but feels that it should be optional.

Mr. Paul Cohen, Dept. of Human Resources, referred to S.B. 91 and 309 which have been signed by the Governor, and advised that these bills gave clarification in giving the Division of Health a seventh category of adding alcohol and drug abuse facilities. S.B. 309 gives alcohol and drug abuse jurisdiction over those facilities. They support this bill because the alcohol and drug abuse facility, with these two laws, will have to meet the same criteria that is established by the joint council on accreditation of hospitals, which goes into meeting the criteria for national health services. This bill adds to it the category allowing for third party funding. For the first time, alcohol and drug abuse would be eligible for other funds that they have not been eligible for before.

Senator Young referred to page 2, lines 17 & 32 and feels that the wording "shall" should be changed to "may". Senator Young asked Mr. Cohen if he would have any objections to making it permissive. Mr. Cohen replied no. Senator Young feels we should not impose this burden upon those non-drinkers and non-drug users.

Senator Walker asked if a carrier provides health insurance in this state, must he provide this coverage. Mr. Cohen replied yes, as it is written now. It makes it available if an individual desires it. Senator Walker asked what the hospital costs would be for this. Mr. Cohen replied that it could run from \$85 to \$150 a day to detox a person for the first two to three days. After that, it would run from \$60 to \$90 a day.

Senator Herr moved "Do Pass" and amend as Exhibit B indicates, and make it optional; seconded by Senator Hilbrecht; Senator Young did not vote; Senator Schofield absent; motion carried.

S.B. 594 - Provides for board of medical examiners to establish guidelines for physicians in matters relating to advertising and unethical conduct.

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Dr. Richard Allen, representing the Nevada Physicians Union and Clark County Medical Society, advised that advertising has become an issue in the past and was creating the need for regulation on the part of the Board of Medical Examiners. The wording in paragraph 4 is appropriate, and paragraph 5 covers the area regarding the need for the Board of Medical Examiners to govern professional conduct. Dr. Allen feels that the Board of Medical Examiners is the logical place to put authority such as advertising and ethics.

Senator Herr questioned the fact that if the Board may consider this misconduct, subject to the approval of the majority of the persons licensed, they could get together and override the opinion of the Board. Dr. Allen replied that with the system of checks and balances which they have, they hope to be able to solve this -- they will be working for quality control.

Senator Young commented that "approval of the majority" seems awkward, in that this majority is changing as the number of physicians change. It seems awkward when everyting they do is subject to a changing group.

Senators Hilbrecht and Schofield entered the meeting at 12:55 p.m.

Dr. William Feltner, Reno Rad. Assn., suggested amendment to the bill (see Exhibit C for copy of amendment). The committee agreed that this is already contained in the bill; therefore, the amendment was withdrawn.

Dr. Grundy, State Board of Medical Examiners, advised that they have no objection to paragraph 4 of the bill since they are already doing that. However, they do have concern with paragraph 5, in that it seems to be almost unyielding. Dr. Grundy feels it would be very difficult to get the doctors to agree upon what is unethical. The Board feels that it is their job to make rules and regulations that are pertinent to the health, welfare and safety of the people. They feel that ethical practices that do not infringe upon the health, welfare and safety of the people should be left to the county medical societies. Dr. Grundy does not feel that advertising is ethical; however, they are not in the position to say that if a doctor advertises they should take away his license if that advertising is honest and does not affect the welfare of the people. Dr. Grundy feels that the Board should have the authority to make the decisions, but it will be most difficult to get the concurrence of all the doctors in the state.

Senator Hilbrecht moved "Do Pass" and amend to delete lines 17 & 18, beginning with "...subject ot the approval" on line 17; seconded by Senator Herr; motion carried. Senator Schofield absent.

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A.B. 100 - Provides for voluntary medical examination and treatment for minors in certain circumstances without parental consent.

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

Assemblyman Ford advised that she would be happy to meet with any of the committee members to provide further information if necessary.

Mrs. Esther Nicholson advised that the Nevada State League of Women Voters is in favor of this bill (see Exhibit D for copy of prepared statement).

Shirley Wedow advised that the Nevada P.T.A. is also in favor of this bill.

A.J.R. 39 - Memorializes Congress to repeal income limitations on the receipt of social security benefits.

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

A.B. 723 - Provides for care and protection of abused and neglected elderly persons.

Mr. Wally Roanhaus, Division for Aging, advised that they are receiving calls regarding abuse of the elderly and feels that this bill would help alleviate this problem.

Senator Gojack moved "Do Pass" and refer to Judiciary Committee; seconded by Senator Herr; motion carried. Senators Schofield and Hilbrecht absent.


S.B. 593 - Provides for suspension of license of optometrists who fail to comply with requirement of continuing education.

Assemblyman Robinson advised that last session a bill was passed for continuing education for optometrists which allows the Board to require so many hours of study each year. The law did not provide what the results would be if you failed to do so; therefore, this clarifies that law, in that it is contingent upon having continuing education and if they fail to do so, their license would be revoked until the time is made up.

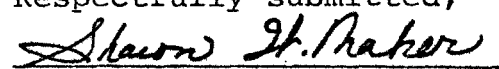
Senator Young moved "Do Pass"; seconded by Senator Herr; motion carried unanimously.

Being no further business at this time, the meeting was adjourned at 1:30 p.m.

APPROVED:


 Lee E. Walker, Chairman

Respectfully submitted,


 Sharon W. Maher, Secretary

PROPOSED AMENDMENTS TO S.B. 588

1. Amend subsection 8 of section 1, page 2, line 17 by deleting the words "benefits for the" and inserting the words ",at the option of the applicant, benefits for expense incurred".

2. Amend section 3, page 2, line 31 after the word "policies" insert the words ",as required by subsection 8 of N.R.S. 689A.030,".

3. Amend subsection 1 of section 3, page 2, line 33 by deleting the word "Room" and inserting the words "Under basic policies, room".

4. Amend subsection 2 of section 3, page 2, line 36 by deleting the word "Inpatient" and inserting the words "Under basic policies, inpatient".

5. Amend subsection 3 of section 3, page 2, line 41 by deleting the word "Outpatient" and inserting the words "Under major medical policies, outpatient".

6. Amend subsection 4 of section 4, page 3, line 15 by deleting the words "for the" and inserting the words ",at the option of the applicant, payable for expense incurred".

7. Amend section 5, page 3, line 19 by inserting after the word "policies" the following: ",as required by subsection 4 of N.R.S. 689B.030,".

8. Amend subsection 1 of section 5, page 3, line 21 by deleting the word "Room" and inserting the words "Under basic policies, room".

Proposed Amendments to S.B. 588 cont'd

9. Amend subsection 2 of section 5, page 3, line 24 by deleting the word "Inpatient" and inserting the words "Under basic policies, inpatient".

10. Amend subsection 3 of section 5, page 3, line 29 by deleting the word "Outpatient" and inserting the words "Under major medical policies, outpatient".

11. Amend Chapter 695B of N.R.S. relating to the Blues in the same manner.

12. Amend Chapter 695C of N.R.S. relating to H.M.O. in the same manner.

ROOM # _____
DAY _____

DATE _____

NAME ORGANIZATION ADDRESS

NORMAN PETERSON	NEV. HOSPITAL ASSN.	RENO
W.L. Badley	Washed Med-Spitz D.A.	Reno
Miles TERZICH	American Life Insurance Health Ins. Assoc. of America	Zephyr Cove
Wm R. Feltner	Reno Podiat Assoc.	Reno
K. Lynn Flary	Reno Podiat Assoc.	Reno
Wally Roanhaus	Division for Aging	CC
John B. Kinstell	member of 16 City adv. Comm. Express	Silver Spring Reno
George Archer	A.A.R.P.	CC
Sandra Bailey	Planned Parenthood	Reno
Millie Bennett	Citizen	CC
Mesa Holderman	Governors Sexual Health	Reno
Michael Navarro	Nev. Physicians Union	Las Vegas
Richard White	N.P.U. C.E.M.S.	LAS VEGAS
Linda Johnson	Citizen	Carson
Esther Nicholson	League of Women Veterans	"
STAN WARREN	NEW BELL	RENO
Bob Alkire	Kennecott Copper Corp	McBill
Suzanne Weston	Nevada PTA	Sparks
Paul Cohen	DEPT of Human Res.	CARSON City

WILLIAM R. FELTNER, M.D.

441-42

2360 FIRESIDE CIRCLE
RENO, NEVADA 89502

May 8, 1975

Senator Lee Walker
Nevada State Senate Building
Carson City, Nevada 89701

RE: S.B.594 - An act relating to physicians.

Dear Senator Walker:

As per our discussion today, 5/7/75, S.B.594 relates to unprofessional conduct and spells out what constitutes unprofessional conduct. Section 15, p.2 relates to "fee splitting" between physicians and other persons, firms or corporations. At the end of line 30, p.2 (.... and personally rendered). I would request the following sentence be added.

IT SHALL BE UNETHICAL FOR A PHYSICIAN OR A PHYSICIAN'S CORPORATION, PHYSICIAN'S PARTNERSHIP OR ASSOCIATION TO DIVIDE HIS PROFESSIONAL FEES WITH OR ASSIGN HIS PROFESSIONAL FEES OR PART THEREOF TO A HOSPITAL OR HEALTH CARE FACILITY AS THIS WOULD ALSO CONSTITUTE FEE SPLITTING.

This concept is embodied in the A.M.A. code of medical ethics and has recently been promulgated by the California Board of Medical Examiners and has been the subject of several opinions by the California Attorney General.*

Sincerely yours,

W. R. FELTNER, M.D.

*Mr. Jerry Conway, Assistant Executive Director of the Board of Medical Examiners, State of California, has all the details of the California opinions and rules and regulations - Telephone: 916-322-4073.

The Nevada State League of Women Voters has been studying the issues surrounding Juvenile Services since 1969. Two major studies have been published which relate to this legislation. The first was a study on abortion and related health care issues. The second was study on the mental health services which are presently being offered to juveniles in the state of Nevada.

After studying these issues thoroughly, the membership of the Nevada League of Women Voters came to consensus in support of this type of legislation.

According to the Office of Vital Statistics, the divorce rate in Nevada is 16.8 per 100,000 population. Compare this rate with the National rate of only 3.5 per 100,000 population. The 1970 census shows that in Nevada, 26% of those who are 14 years and older have been divorced at least once. We cannot deny that many young people in Nevada are growing up in broken homes.

many of these youngsters, if they are not physically deserted by their parents, are certainly emotionally deserted. These young people need public health services, medical services, and mental health services. To deny them access to these services on the basis of a parental consent requirement is not only harmful to them but it lowers the total level of health in Nevada. Can Nevada afford this. We think not.

Young Nevadans, who are striving to become responsible adult citizens, need the help of the society and the state in reaching this goal. A major step in this development is the acceptance of a personal responsibility for ones mental and physical health. AB 100 will allow young Nevadans to begin to accept this responsibility.

We Urge your support of this bill. Thank You, very much.

E. J. H. H. H.