



of the Nevada Hospital Association, stated that AB 625 will help smaller rural hospitals to collect bills from private patients. He said this interest charge would be optional with the various hospital Boards of Trustees. He said the large county hospitals have no desire to implement this and would only be charging two months after the bill has been presented to the patient.

Mr. Ross pointed out the ambiguity in the language regarding when the two month period would begin before interest was charged. Mr. Hillerby checked with others in the audience who have set up the program and reported that the interest begins two months after the bill has been presented.

Mr. John Anthony, administrator of Carson-Tahoe Hospital, stated that the hospital has no real legal means of collecting delinquent bills. The Board of Trustees had desired to institute this practice 3 years ago but found that they had no legal method by which to do it.

To Mr. Chaney's question, it was clarified that this practice was optional with the hospitals.

Chairman Chaney called for testimony on AB 599.

Dale Rust, President of the State Board of Examiners for Marriage and Family Counselors, explained that the suggested changes in the existing statutes resulted from needs brought to their attention by the Attorney General's office. The bill does not limit advertising by licensed persons practicing in the field, but does apply to those who have not been certified in the field. The bill also changes registration from biennial to annual and clarifies the intent to regulate those who are advertising and are not certified. It also maintains the privilege of confidentiality.

Chairman Chaney called for testimony on AB 617.

Assemblyman Kissam, the sponsor of this bill, spoke in support of the bill as an unofficial member of AASK, Aid to Adopt Special Kids, a non-profit organization operating in Las Vegas since 1974 and one of three private adoption agencies in the State. He said AB 617 seeks permission to publicize on television out-of-the-area hard-to-place children. An amendment proposed by AASK is to allow publication not only in newspapers, but also on television. The Welfare Division requested an amendment be included in the bill which would disallow any identifying information about the children. He said that Welfare would have final authority on stating whether any of the three agencies are properly handling advertising.

Mrs. Gomes asked for clarification as to the areas where out-of-the-area children would be advertised, i.e., a child would not be publicized in Las Vegas if the child resides in Las Vegas.

Mr. Chaney felt that the protection of the identity of the children should be written in the bill. Mr. Kissam called on Mr. LaBadie who stated his support for the bill and stated Welfare's concerns about the confidentiality. He felt that if one child could be placed, they would be willing to try it and if they have problems with the bill two years from now, they will be back in the Legislature.

Mr. Weise asked what is included in "relative personal information". Mr. LaBadie explained that this means the physical handicaps of the child. No names, addresses, etc. will be given out.

Mr. LaBadie stated that it would be a condition of approval by the Welfare Division that a child not be published in the area of his residence. Mr. Ross asked if this was in a regulation. Mr. LaBadie stated that it was not but that he would have objections to this requirement being placed in the bill.

Discussion was held between Mrs. Gomes and Mr. Ross as to the permission of the child. Mr. Ross stated that one of the problems is that children under a certain age are not capable of giving permission and if they're over 18, they're no longer children. Mr. Kissam pointed out that the adoptive procedures have been set up and that this bill simply requests permission to publicize and place these children. Mr. LaBadie stated that after a certain age, the adoptive children can agree to an adoption, but it isn't required. Mr. Kissam pointed out that this procedure has worked well in both Phoenix and Los Angeles.

Mr. Ross brought out the question of the sensitivity of people not wanting to be known as one who is available for adoption. Mr. Kissam again pointed out that if the program doesn't work out, they will return to the next session of the Legislature and make corrections.

Mrs. Gomes stated that she is in full support of the bill but has some reservations about the confidentiality. Mr. Weiss pointed out his "gut" feelings regarding the commercialism surrounding the proposal. Mr. LaBadie had no suggestion as to how to get away from that aspect.

Mr. LaBadie said that 40 children were placed in homes by the Welfare Division last year and felt that the private agencies placed from 8 to 10. He expressed the Welfare Division's concern about the commercialism, but if one child was placed through this method, it would be worth the attempt.

Mr. Chaney asked who would pay the cost of advertising. Mr. Kissam stated that the cost would be paid by AASK through their fundraising activities. There is no fiscal note on the bill.

Chairman Chaney asked for testimony on SB 380 which increases the fee for food handlers for medical examinations from \$4 to \$5.00.

Since there was no one present to testify on SB 380, Mr Robinson stated that he had requested a similar bill but withdrew his when this one was introduced. He said it costs the Clark County Health Department approximately \$7.00 to process each one of the food handler's licenses. He felt this increase was a very nominal amount for a worker to handle and since the examination is in the public interest, the counties should share in the cost.

Chairman Chaney explained the problems with AB 590 and asked for a report from the subcommittee. Mr. Schofield asked for a two minute recess. Chairman Chaney reminded the committee that the session was convening at 10:30.

Mr. Schofield, after the recess, reported that the subcommittee had met with both sides of AB 590 and that objections had been satisfied through agreement that once the Board is formed, their objections could be included in regulation form. He said the subcommittee recommends that the bill be passed as written with no amendments.

Mr. Ross asked the Chairman if this was the appropriate time to make a motion on the bill. Chairman Chaney stated that he was not considering a motion at this time because he has the same questions in his mind as he had before the subcommittee was appointed.

Mr. Kissam asked the subcommittee chairman how they resolved the question of state workers not being licensed. Mr. Schofield corrected himself and said that the subcommittee does recommend that the license not apply to state social workers or those of political subdivisions.

Mr. Weise said that this is not a unanimous decision; that he would go with the bill but not with that amendment. Mr. Schofield said that if there were problems with the bill within the next two years, it could be returned to the Legislature; that this at least would get the program started. He said Mr. Bishop was satisfied that his objections would be covered by regulation. Mr. Ross moved to pass the bill as amended. The Chairman stated that he was entertaining a motion at this time.

Mr. Joe Braswell, Director of the Inter-Tribal Social Services Program, apologized for not appearing at previous hearings on AB 590, but stated his support for the bill with a proposed amendment which would provide that the provisions of the bill would not apply to social workers employed by an Indian tribe or organization. His comments are attached as Exhibit "A". He said that this would apply to social work services provided to Indians living on or near an Indian reservation.

Mr. Weise asked for a definition of what's "near". Mr. Braswell stated that the Federal government has defined what's "near". Mr. Robinson asked why he wouldn't want these social workers licensed. Mr. Braswell stated that these people are employees of the Inter-Tribal Council and that state regulations are not applicable to work being

performed on Indian reservations or serving the Indian people. He said if he was going to practice as a private practitioner, he would apply for a license, but not if he works on a reservation. He said by public law the Indians are entitled to hire whomever they wish and are not bound by state or federal standards.

(A letter from Elizabeth M. Bradley is attached as Exhibit "B". Ms. Bradley states her support of AB 590 having worked as a social worker in Clark County for 8 years.)

Mr. Dreyer requested the committee's reconsideration of AB 33, a bill which clarifies the authority of state personnel to inspect health and care facilities. He introduced Mr. William Smith, the State Nursing Home Ombudsman who read a letter from Mr. John B. McSweeney, Administrator of the Division for Aging Services. In his letter, Mr. McSweeney pointed out there is presently no regulatory agency charged with protecting the personal human dignity of a nursing home resident and that the ability of the ombudsman to inspect these facilities at any time is imperative. (Mr. McSweeney's letter is attached as Exhibit "C").

Mr. Weise asked Mr. Smith if he carried identification with him which identifies him as the ombudsman. Mr. Smith answered in the affirmative.

Chairman Chaney adjourned the public hearing. He called for committee action on the following:

AB 553: Mr. Bennett moved Do Pass; Mr. Schofield seconded the motion. Voting in favor of the motion were: Messrs Chaney, Bennett, Ross, Schofield, Dreyer; voting in opposition to the motion were Mrs. Gomes, Mr. Weise and Mr. Robinson. The motion passed.

AB 556: Mr. Schofield moved Do Pass As Amended; Mr. Bennett seconded the motion. The motion was unanimously approved.

AB 565: Mr. Kissam moved to Indefinitely Postpone the bill; Mr. Weise seconded the motion. The motion was unanimously approved.

AB 583: Mr. Schofield moved Do Pass; Mr. Bennett seconded the motion. The motion was unanimously approved.

AB 590: Mr. Kissam moved Do Pass As Amended; Mr. Bennett seconded the motion. Voting in favor of the motion were: Mr. Chaney, Mr. Bennett, Mrs. Gomes, Mr. Ross, Mr. Schofield, Mr. Dreyer, Mr. Kissam and Mr. Weise. Voting in opposition was Mr. Weise. The motion was passed.

AB 625: Mr. Kissam moved Do Pass the measure; Mr. Bennett seconded the motion. Voting in favor of the motion were Mr. Chaney, Mr. Bennett, Mrs. Gomes, Mr. Ross, Mr. Schofield, Mr. Dreyer, Mr. Kissam and Mr. Robinson. Mr. Weise abstained. The motion was passed.

AB 599: Mr. Kissam moved Do Pass; Mr. Ross seconded the motion.

Voting in favor of the motion were Mr. Chaney, Mr. Bennett, Mrs. Gomes, Mr. Ross, Mr. Schofield, Mr. Dreyer, and Mr. Kissam. Not voting were Mr. Weise and Mr. Robinson. The motion was approved.

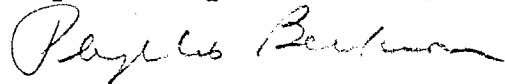
AB 617: Mr. Schofield moved Do Pass As Amended; Mr. Ross seconded the motion. Voting in favor of the motion were Mr. Chaney, Mr. Bennett, Mrs. Gomes, Mr. Ross, Mr. Schofield, Mr. Dreyer, Mr. Kissam and Mr. Robinson. Mr. Weise voted "no". The motion was approved.

SB 380: Mr. Schofield moved Do Pass; Mr. Robinson seconded the motion. The motion was unanimously approved.

AJR 44: Mr. Bennett moved Do Pass; Mr. Schofield seconded the motion. The motion was unanimously passed.

Chairman Chaney adjourned the meeting at 10:47 a.m.

Respectfully submitted,

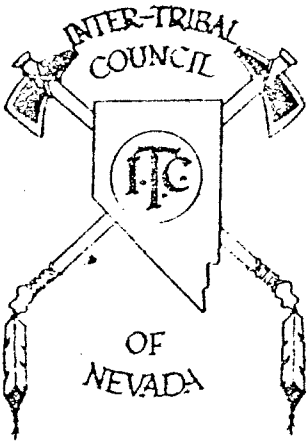


PHYLLIS BERKSON, Secretary

# INTER-TRIBAL COUNCIL OF NEVADA

HOME HEALTH SERVICES PROGRAM

ROOM 121, CAPITAL PLAZA BUILDING  
1000 EAST WILLIAM STREET  
CARSON CITY, NEVADA 89701  
TELEPHONE (702) 882 6663



To: Assembly Committee on Health & Welfare, Nevada Legislature, 59th Session

From: Joe Braswell, Director, ITCN Social Services Program

Re: A.B. 590

I am here in support of A.B. 590, provided it can have one small amendment added.

The concept of regulating private practice of social work is one I can support. I believe that there should be protection of consumer interests for those who choose to seek such professional help. However, I do not believe that state regulations should be applicable to social service programs serving the needs of Nevada Indians. Therefore, I propose the following amendment to A.B. 590.

On page 5, after subsection 4 of section 23, lines 10-13 inclusive, insert and add the following:

"Section 23.A. The provisions of Section 23 of this act shall not be applicable to social workers employed by an Indian tribe or Tribal Organization, as these entities are defined in 25 CFR, chapter 1, Subchapter Y, Part 271, subpart A., sections 271.2(h) and (r), when such social work services are provided to Indians living on or near an Indian reservation."

3019 Phoenix Street  
Las Vegas, Nevada 89121

Re: AB 540

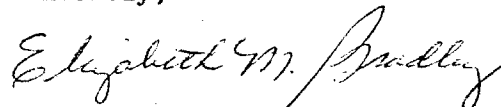
Assemblyman Gnomes  
Nevada State Legislature  
Carson City, Nevada

Dear Assemblyman:

As a Social Worker in Clark County for 8 years, I favor provisions for professional standards as outlined in Assembly Bill 540.

Please consider a do pass recommendation.

Sincerely,



Elizabeth M. Bradley



EX. C

STATE OF NEVADA  
DEPARTMENT OF HUMAN RESOURCES



ROGER S. TROUNDAY, DIRECTOR

DIVISION FOR AGING SERVICES

JOHN B. MCSWEENEY, ADMINISTRATOR

ADMINISTRATIVE OFFICE  
KINKEAD BUILDING, ROOM 101  
505 EAST KING STREET  
CAPITOL COMPLEX  
CARSON CITY, NEVADA 89710

MIKE O'CALLAGHAN  
GOVERNOR

February 3, 1977

The Honorable Darrell H. Dreyer  
Assemblyman  
5309 Master Avenue  
Las Vegas, Nevada 89122

Dear Assemblyman Dreyer:

We respectfully request that the Committee on Health and Welfare re-consider recommendation of the A.B.33 with the following amended language:

---- Section 3,2. "By the Nursing Home Ombudsman of the Division for Aging Services of the Department of Human Resources" ----

It is my opinion that this law is essential for the upgrading of the quality of care for nursing home residents. The functions of the Ombudsman includes providing a viable method of accepting complaints. After a complaint has been received by the Ombudsman, he must evaluate the veracity of the complaint and then attempt to have the complaint rectified if it has been found to be valid. The Ombudsman is the only "personal" avenue of representation that patients have. While the patient is protected by regulatory agencies in the area of fire, safety, sanitation, building codes and the like, the representatives of these agencies do not, in most instances, have any personal contact with the patients. If a complaint is sent to these agencies, they will send a representative to investigate the matter, but the contact would be made with the nursing home administrator since the agency person does not have the time to thoroughly discuss the matter with the patient. At present there is no regulatory agency charged with protecting the personal human dignity of a nursing home resident to ascertain that the patient, under certain circumstances, has not had his human dignity abused, would be the duty of the Ombudsman. Total access to circumstances is mandatory; availability to monitor circumstances at any time should be the mandate of the legislature to the Ombudsman. Health Facility personnel for the most part work a five day, 40 hours week which excludes Saturday and Sunday. This is not the case with the Ombudsman; he is not limited to an 8 A. M. - 5 P.M. schedule; he can evaluate a complaint on a Saturday or Sunday or before 8 A.M. or after 5 P.M.

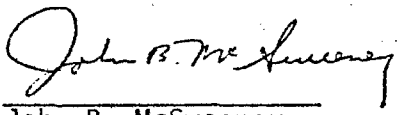
The Honorable Darrel H Dreyer  
Page 2

We strongly suggest you recognize this availability of a patients advocate outside of the routine work week particularly in the matter of evaluating patients complaints.

It is essential that someone outside the bureaucratic structure be allowed to evaluate complaints.

Presently our Nursing Home Ombudsman is at the disposal of the Legislature to give further testimony as to the purpose and intent of carrying out the duties and responsibilities of his position. The Administration on Aging has recognized the need for Nursing Home Ombudsman to such an extent that they have provided funds to each and every state to upgrade the quality of care and life in Nursing Homes. He is available to testify in this matter and I suggest you avail yourself of his sentiment regarding passage of this bill.

Sincerely,



John B. McSweeney,  
Administrator

JBM/gr