

SENATE
COMMERCE & LABOR
COMMITTEE

Minutes of Meeting
Monday, March 21, 1977

The meeting of the Commerce and Labor Committee was held on March 21, 1977, in Room 213 at 1:30 P.M.

Senator Thomas Wilson was in the chair.

PRESENT: Senator Wilson
 Senator Blakemore
 Senator Ashworth
 Senator Bryan
 Senator Close
 Senator Hernstadt
 Senator Young

ALSO
PRESENT: See attached list.

The Committee considered the following:

S.B. 304 RAISES MONETARY THRESHOLD WHICH COSTS OF MEDICAL TREATMENT MUST EXCEED BEFORE INJURED PERSON MAY RECOVER DAMAGES FOR NONECONOMIC DETRIMENT RESULTING FROM MOTOR VEHICLE ACCIDENT. (BDR 57-1082)

S.B. 305 REQUIRES CERTAIN CLAIMANTS FOR MOTOR VEHICLE ACCIDENT REPARATION BENEFITS TO SUBMIT TO MEDICAL EXAMINATION. (BDR 57-1080)

S.B. 306 MODIFIES EXISTING LAW TO PERMIT ONLY PERSONS WHO HAVE SUFFERED CERTAIN SERIOUS INJURIES RESULTING FROM A MOTOR VEHICLE ACCIDENT TO RECOVER DAMAGES FOR NONECONOMIC DETRIMENT. (BDR 57-1081)

Mr. George Vargas, American Insurance Assn., addressed the Committee and stated that S.B. 304, 305 and 306 are industry bills, which SENATOR DODGE introduced. All deal with no fault and first party benefits. S.B. 304 and 306 deal with threshold and S.B. 305 deals with the question of an

independent medical examination under first party benefits. They can all be dealt with together.
(See Exhibit A)

Mr. Vargas further stated he is very concerned about the insurance situation in Nevada both with reference to the cost and availability for the market. He said we have no domestic insurance companies in the liability lines - all of our market is imported. That market is heavily concentrated in a few companies. Most of the bills before the Legislature today are designed to increase the cost of insurance. Some of these bills could force some of the companies presently writing in Nevada to move out of the state. He stated these three bills have the possibility of meeting the many problems we are facing today.

SENATOR CARL DODGE stated he introduced the first no-fault in the Nevada Legislature about 6 - 8 years ago and has had some interest in this legislation since that time. He told the Committee the average premium cost in California today for automobile coverage is \$321.00. In Nevada the average is \$281.00. In Washoe, Carson City and Churchill the amount is \$267.00 and in Clark it is \$289.00. If these figures have validity, it indicates that even though all costs on insurance coverage on autos might be rising, that we are still relatively in a little better shape in Nevada than in California. Not so sure that protections aren't substantially better, particularly with first party coverage, as against a third party concept in California which has not adopted the no-fault concept. These bills were prepared by some of the people in the industry and reviewed by Mr. Rottman, Insurance Commissioner.

SENATOR DODGE told the Committee that he thinks that one or more of these bills have substantial validity to them, particularly the one requiring medical examination. He stated he sponsored them but did not explore them and could not offer constructive testimony on them.

Mr. W. Victor Slevin, Vice President, Western Division, American Insurance Assn., 465 California St., San Francisco, Calif., appeared before the

Senate

Committee to support the amended version of the threshold in either S.B. 304 or S.B. 306. He stated no-fault is not doing what it was intended to do. They know that the public, the bar and the medical profession have found ways around the dollar amount of the threshold. The concept of no-fault is to reduce the number of suits, not increase them. The present Nevada statute has not materially reduced the number of claims for some companies and the amount and severity of their losses has greatly accelerated resulting in increased insurance costs.

He discussed "serious, permanent disfigurement" or "other serious and permanent injury". He stated that by serious they mean by serious disfigurement, disfigurement that cannot be corrected by surgery or any other means. He does not mean disfigurement has to totally disable. Refer to Tape #2 for discussion. Discussed suing procedures and tort system in other states - refer to Tape #2.

Mr. Slevin further stated the thresholds that have been adopted are compromises with the no-fault concept according to him. In the insurance business the trend has been away from compromising the threshold and more toward getting down to really what no-fault is all about and that is serious and permanent injury. As far as the general public goes, he said there has not been any disillusionment with the no-fault concept. At the national level there remains only one organized opposition to no fault, and that is the trial bar.

SENATOR BRYAN asked about the primary argument on behalf of no-fault to reduce the cost of insurance for the motoring public. Mr. Slevin stated the primary argument for the no-fault concept is to provide that more of the money that you pay in premiums go back to people that have losses. The concept of no fault is to eliminate the system that we now have to go through in order to get that money to the injured person, namely, the tort system.

Mr. Slevin said all that we are doing with this bill is saying that we are confident that some changes will reduce the number of lawsuits. Justi-

fications for the no-fault concept are simply that under the tort system when you are injured in an auto accident the extent of your injury has nothing to do with what you collect. Thinks there should be a system where everybody insures himself and when he is injured he collects from his own insurer.

SENATOR WILSON summarized the discussion by saying that the only real threshold is the verbal threshold. The monetary threshold is an artificial compromise. That the only meaningful threshold is the verbal threshold--the one that separates the major injury from the minor injury.

Dave Guinan, Trial Lawyer, discussed the no-fault law and the problems that have been encountered with premiums, etc. S.B. 304 or S.B. 306 are incompatible. Both could not pass in their present form. S.B. 304 would raise the monetary threshold, whereas S.B. 306 would eliminate it entirely. He rather favored the concept of a monetary threshold simply because it is an objective criteria whereby he can advise a client easily whether or not it looks like he is going to meet the threshold so he can bring the lawsuit. In response to a question by SENATOR WILSON, he stated that attempts to pierce the threshold could be a problem.

Mr. Guinan suggested that perhaps the Legislature would want to look again at the concept in Oregon where the insurance industry is required to offer an expanded first party benefits package to the public and in turn the public is required to indemnify the insurance companies for benefits they have received under this first party coverage in in the event they do bring a lawsuit--so there is no dual recovery of benefits. He agrees with SENATOR WILSON's concern about the proposed amendment to S.B. 306 (see Exhibit A). He didn't see anything that would authorize the bringing of a positive action for scarring. The significant aspect of S.B. 305, he stated, is that it authorizes an insurance company to withhold any payments to an injured party, if that injured party refuses to submit to a medical evaluation.

SENATOR CLOSE brought up the choice of physician to use for the examination.

Mr. Michael McCabe, Associate Counsel, Allstate, Illinois, told the Committee that he is Western Zone Counsel responsible for legislative and regulatory matters in 13 western states. He discussed history of no-fault and stated Allstate endorses S.B. 306 as amended. Thought there might be some technical changes that might be made to get separate disfigurement from serious and permanent injury. He said those should be disjunctive rather than conjunctive.

Discussed with Committee:

- (1) Verbal thresholds.
- (2) No-fault.
- (3) Liability cost (severity and frequency).
- (4) Cost of benefit ratio.
- (5) Federal involvement in no-fault.

Refer to Tape #3.

Mr. George Ciapusci, Claims Supt., State Farm Insurance, Reno, brought with him Mr. James Perry, Asst. General Counsel from his Bloomington, Illinois headquarters. Stated they were before the Committee to support any constructive change to the present law which would strengthen the laws in their views and eliminate some of the abuses that they witness in their day to day activities in handling claims under the current no-fault bill, which included charges and treatment offered by physicians, and threats of suits by clients. He believes that S.B. 304, 305 and 306, as amended, would cure the problems that he had addressed. Stated they favored S.B. 306 over 304 with respect to the threshold (favor the verbal threshold as amended).

Mr. Perry agreed with testimony by Mr. McCabe regarding what has been learned about no-fault. He stated most companies are disillusioned by medical expense thresholds and believes the system does do what we said it would do - it does work - but it is his judgment that the defects should be cured before they become so serious that the system collapses. He is strongly supportive of S.B. 306,
Senate as amended.

Mr. Virgil Anderson, AAA, introduced Mr. Wade Action, Vice President of AAA, in San Francisco. He stated they are in support of S.B. 305 and 306 (see Exhibit E--comparative rates).

Mr. Action stated that Cal State operates only in California and Nevada. Entered Nevada in 1961 and today has the third or fourth largest writer. Submitted information to Committee (see Exhibit D).

Mr. Daryl Capurro, Nevada Motor Transport and Nev. Franchised Auto Dealers, thinks the Committee needs to hear from people that are actually paying the tariff. An insured motor carrier, regardless of fault, can expect or anticipate that the other driver in an accident is going to be uninsured. He stated that we are faced with what appears to be a crisis for his industry with regard to insurance coverage, the number of markets is decreasing and he believes that the verbal threshold appears to mitigate many of the abuses that have been outlined. He thinks that S.B. 305 is a necessity to his industry.

Mr. William Parish, Nevada Independent Insurance Agent, stated his group supports S.B. 305 and S.B. 306.

Mr. Tom Conneely, American Mutual Insurance Alliance, stated they support S.B. 305 and S.B. 306.

Mr. Richard Garrod, Farmer Insurance Group, stated they support S.B. 305 and S.B. 306.

Dr. Dick Rottman, Insurance Commissioner, stated that they perceive that the no-fault insurance law is not working as well as intended because of excessive utilization,--the low dollar threshold tends to breed excessive utilization, and probably there are more lawsuits that end up costing the system more money. He would ask for some changes in the law.

Discussed the monetary threshold in response to inquiry by SENATORS CLOSE and BRYAN. He felt we should shape up the law we have now and stated that he favored the verbal threshold in response to a question by SENATOR ASHWORTH.

Senate

In response to a direct question from SENATOR HERNSTADT, Mr. Rottman stated that he would take out the bill, S.B. 305, on independent medical-- recommend a "do pass" on that and take S.B. 306 (the verbal) as amended and recommend a "do pass" on that.

S.B. 321 ALLOWS NONPROFIT GROUPS TO SECURE AUTOMOBILE LIABILITY INSURANCE COVERAGE FOR VOLUNTEER DRIVERS TRANSPORTING MEMBERS. (BDR 57-1042)

SENATOR GOJACK was the first to testify on this bill. See testimony attached as Exhibit B.

Ms. Dorothy Newberg addressed the Committee and submitted materials with her statement providing information as to groups requiring the help and services of volunteer drivers. See Exhibit C.

Ms. Jean Loveless appeared in support of this bill.

Dr. Dick Rottman, Insurance Commissioner, was in the hearing room and CHAIRMAN WILSON asked that Dr. Rottman meet with the ladies present regarding the insurance problem and assist them in any way possible. Mr. Rottman and witnesses left the hearing room to confer.

After visiting with the ladies present on this bill Dr. Rottman advised the Committee that he really had not read the bill and studied it. He agreed with the Chairman's comments that there is no way that you can put a cap on the liability. He believes that he will have to work with them and try to figure out something to take care of their needs. One thing aggravating is the abrogation of guest statute. He thinks, in agreement with SENATOR BLAKEMORE, that their needs can be solved without legislation.

S.C.R. 18 ORDERS STUDY BY LEGISLATIVE COMMISSION OF FEASIBILITY OF PROVIDING HEALTH INSURANCE TO RETIRED PUBLIC EMPLOYEES. (BDR 462)

CHAIRMAN WILSON indicated to all present that this SCR was incorrectly referenced to Senate Commerce and Labor Committee. The only committee having jurisdiction on the study resolutions is the Senate Committee on Legislative Functions. He stated the resolution would be re-referred.

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A.J.R. 28 MEMORIALIZES CONGRESS TO RETAIN STATE CONTROL OF INSURANCE. (BDR 1436)

Mr. Remo Fratini, Nevada Independent Insurance Agent, representing the Nevada Independent Insurance Assn., stated they instigated A.J.R. 28. That there is a movement in Congress to abolish or seriously amend the McCarran-Ferguson Act, to change the control of insurance from state regulations to federal regulation. This resolution will be presented to most of the legislatures throughout the U.S. He thinks it would be significant if Nevada's Legislature were first to pass this since it was Nevada's Senator McCarran who was a founder of this bill.

A.B. 306 MODIFIES SURPLUS LINE BOND AND RECORDKEEPING REQUIREMENTS OF INSURANCE AGENTS. (BDR 57-881)

Mr. Bill Parrish, Nevada Independent Insurance Agent, stated A.B. 306 is an effort to cut down on the vast paperwork. It modifies the surplus line bond so that you can issue one bond for an office to cover all individuals rather than having individual bonds. Under present codes they must retain records for six years.

S.B. 318 ADDS LAY MEMBER TO NEVADA STATE BOARD OF CHIROPRACTIC EXAMINERS AND EXTENDS SCOPE OF PRACTICE OF CHIROPRACTIC PHYSICIANS. (BDR 54-320)

The first witness was Dr. Melvin W. Aarons, Chicago, who testified on S.B. 318 and was introduced by Dr. Scrivner of Carson City, Nevada. Dr. Aarons testified on Section 4 on page 3 of NRS 634.225: Chiropractors shall not pierce or sever any body tissue except (to draw blood). He wants to take out the brackets and add the following language: "except for diagnostic purposes and electroneuro-mygraph."

Dr. Aarons explained electroneuromyography to the Committee. He said chiropractors want to determine with proper diagnostic procedures whether the complaint of the patient is amiable to chiropractic

management or if the lesion is of such a nature that the individual should be referred to some medic. He discussed changes in the bill with regard to Section 1, line 7, and the energy balance and various chiropractic procedures.

Dr. Scrivner and Dr. Joseph Kirkland discussed energy balance and nerve energy with the Committee and electroneuromyography and adding a lay person to the board. Dr. Scrivner objects to a lay member. See Exhibits F and G. (Refer to last of Tape #4 and beginning of Tape #5.) The language of "drugs" was discussed.

Mr. Frank L. Titus and G. R. Bob Tucker, members of the Nevada State Board of Pharmacy, spoke from the floor. They indicated if you added the words "or dangerous drugs" that would take care of all drugs restricted by federal law.

Dr. Bill Edwards, Secretary of the Board of Oriental Medicine, stated they are concerned about "energy balances." He indicated that that is the reading of NRS 634.020, Traditional Oriental Medicine places the chief emphasis on the ebb and flow and balance of energy.

ADMINISTRATIVE MEETING:

S.B. 259 REQUIRES WRITTEN ESTIMATES OF COSTS OF FUNERALS.
(BDR 54-1043)

Motion to amend and DO PASS by SENATOR ASHWORTH.
Seconded by SENATOR BRYAN.
Motion carried unanimously.

A.B. 306 MODIFIES SURPLUS LINE BOND AND RECORDKEEPING RE-
QUIREMENTS OF INSURANCE AGENTS. (BDR 57-881)

Motion to DO PASS by SENATOR ASHWORTH.
Seconded by SENATOR HERNSTADT.
Motion carried unanimously.

A.J.R. 28 MEMORIALIZES CONGRESS TO RETAIN STATE CONTROL OF INSURANCE. (BDR 1436)

Motion to DO PASS by SENATOR CLOSE.
Seconded by SENATOR BRYAN.
Motion carried unanimously.

S.C.R. 18 ORDERS STUDY BY LEGISLATIVE COMMISSION OF FEASIBILITY OF PROVIDING HEALTH INSURANCE TO RETIRED PUBLIC EMPLOYEES. (BDR 462)

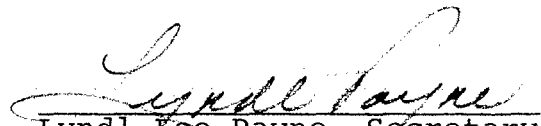
Motion to re-refer to Legislative Functions by
SENATOR HERNSTADT.
Seconded by SENATOR CLOSE.
Motion carried unanimously.

S.B. 305 REQUIRES CERTAIN CLAIMANTS FOR MOTOR VEHICLE ACCIDENT REPARATION BENEFITS TO SUBMIT TO MEDICAL EXAMINATION. (BDR 57-1080)

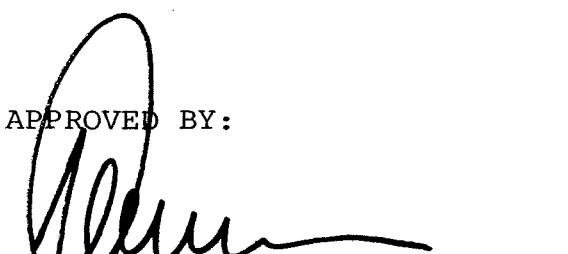
Motion to amend/pass by SENATOR HERNSTADT.
Seconded by SENATOR ASHWORTH.
Motion carried unanimously.

There being no further business the meeting was adjourned at 6:30 P.M.

Respectfully submitted,


Lyndl Lee Payne, Secretary

APPROVED BY:


Thomas R. C. Wilson, Chairman

DATE 3-21-77

PLEASE PRINT PLEASE PRINT PLEASE PRINT PLEASE PRINT PLEASE PRINT PLEASE PRINT

TESTIFYING?	NAME	ORGANIZATION	ADDRESS	PHONE
?	HON L. HARPER	Chiropractic Assoc. Nev.	209 E Corbett	882-05
	Barbara Nellor	St. John's Presbyterian Church	1077 Plumb Lane Reno	
	Cathy Wilson	St. John's Presbyterian	1077 Plumb Ln. Reno	
	Norma Jean Best	Carson City First Presby. Ch	Nevada St Carson City	
	Allyce B. Christall	St. John's - Reno Presbyterian Church	1077 Plumb Ln. Reno	
	Grace & Paul Dayland	St. John's - Reno Presbyterian Church	1077 Plumb Ln. Reno	
	Lucie Whittemore	St. John's Presbyterian	1077 Plumb Lane Reno	
	Nina DeVore	St. John's Presbyterian	1077 Plumb Lane Reno	
✓	Jean Loveless	Church Women United	2895 Moana	
✓	Helen Innes	St. John's Women's Assn, PRIVATE CITIZEN	100 N. Arlington	
✓	DOROTHY NEWBERG	St. John's Women's Assn, PRIVATE CITIZEN	2000 Dant Blvd.	825-701
	Sue Pearce	" "	1770 Emerald Pl	
	Elizabeth Walker	Carson City Presby. Rev. Motor Trans. Church	3593 Green Acres Dr., CC.	
No	Robert F Guinn	How Franchised Auto Dealer	Reno	323-515
Yes	Geo. L. VARGAS	A. I. A. New Motor Transport Assn	501 W. Liberty	786-56
Yes	Daryl E. Capuro	New Franchised Auto Dealer AMERICAN MUTUAL INSURANCE Alliance	RENO 311 California	323-515 / 415 / 362-0870
?	THOMAS F. Connealy	INSURANCE Alliance	San Francisco	362-0870
Yes	George J. Caspuci	STATE FARM	1735 VASSAR ST RENO	329-1011
Yes	JIM PERRY	STATE FARM NRTA/AAPP Nevada Joint State Legislation Committee	ONE STATE FARM PLAZA BLOOMINGTON, ILL	(309) 662-2504
	ORVIS E. Reil		424 E. Long St Carson City Nevada	
Yes	Melvin W. Arons D.C.	Chiro. Practic Assn.	209 E. Corbett.	882-052
	E. Merivyn	Chiropractic Assn		323-627-2692
✓	W. J. Sleman	Chiropractic Assn	465 W. St. San Fran.	415-362-2170
✓	David Suran	N.T.L.A.		
✓	Vivian Anderson	AAA		

DATE

3-21-11

PLEASE PRINT PLEASE PRINT PLEASE PRINT PLEASE PRINT PLEASE PRINT PLEASE PRINT

TESTIFYING? NAME ORGANIZATION ADDRESS PHON

TESTIFYING?	NAME	ORGANIZATION	ADDRESS	PHON
✓	Michael F. McCabe	ALLSTATE	NORTH BROOK TOWN	
✓	WADE ACTON	CSAA	100 VAN MESS	
✓	REMO FRATINI	N.I.F.A.	RENO	
✓	William D. Parish	N.I.F.A.	RENO	
	Dr. E. Pettman	Ins Commissioner		
	Dr. Joseph Kipland	CHIROPRACTIC	Fallon	
	Wm M EDWARDS	BOARD OF ORIENTAL MEDICINE E.C.		
	Tommy Lee Dodge			

SENATE

AGENDA FOR COMMITTEE ON COMMERCE AND LABOR

Monday
Date March 21, 1977 Time 1:30 P.M. Room 213

Bills or Resolutions to be considered	Subject	Counsel requested*
S. B. 304	Raises monetary threshold which costs of medical treatment must exceed before injured person may recover damages for noneconomic detriment resulting from motor vehicle accident (BDR 57-1082)	
S. B. 305	Requires certain claimants for motor vehicle accident reparation benefits to submit to medical examination (BDR 57-1080)	
S. B. 306	Modifies existing law to permit only persons who have suffered certain serious injuries resulting from a motor vehicle accident to recover damages for noneconomic detriment (BDR 57-1081)	
S. B. 321	Allows nonprofit groups to secure automobile liability insurance coverage for volunteer drivers transporting members (BDR 57-1042)	
A. B. 306	Modifies surplus line bond and recordkeeping requirements of insurance agents (BDR 57-881)	
A.J.R. 128	Memorializes Congress to retain state control of insurance (BDR 1436)	
S.C.R. 18	Orders study by legislative commission of feasibility of providing health insurance to retired public employees (BDR 462)	
S. B. 318	Adds lay member to Nevada state board of chiropractic examiners and extends scope of practice of chiropractic physicians (BDR 54-320)	

*Please do not ask for counsel unless necessary.



*Gale
Insured
New Trial
3/21/77*

AMENDMENT TO SB 305

1
2 Commencing with the word "Costs", line 6, delete
3 through line 11, and insert the following language in its
4 place and stead:

5 Unless otherwise agreed, the person shall be
6 Examined by a physician in the nearest Nevada
7 community to which the person to be examined
8 resides. The examining physician shall be a
9 specialist in the medical field most appro-
10 priate to the condition of the person to be
11 examined. The physician shall be chosen by
12 the insured from a list of five physicians
13 supplied by the reparation obligor. The
14 reparation obligor may require one such ex-
15 amination during a 12 month period unless good
16 cause is shown to the District Court for
17 additional examinations. Costs of the exam-
18 ination and all costs incidental thereto, shall
19 be paid by the reparation obligor. The person
20 examined shall request that a detailed written
21 report of the examining physician setting out
22 his findings, including results of all tests
23 made, diagnosis and conclusions, be submitted
to the reparation obligor. If the person re-
fuses to submit to the examination as provided
in this subsection, the reparation obligor:

*Exhibit A
Geo. Vargas*

AMENDMENTS TO S.B. 306

On page 2, starting at line 12:

- (1) Death;
- (2) Dismemberment;
- [(3) A permanent loss of a bodily function;
- (4) A permanent injury, except ordinary scarring or disfigurement;
- (5) Significant permanent scarring or disfigurement; or
- (6) A temporary injury which substantially curtails the injured person's ability to perform his normal daily activities for 90 days and which is medically demonstrable at the end of that period.]

- (3) Serious, permanent and irreparable disfigurement or other serious and permanent injury. "Serious" means that the injury must directly result in a material and substantial impairment of the injured person's ability to resume his normal activities. "Permanent" means that the injury must have resulted in effects which cannot be eliminated through further reasonable medical treatment, including surgery.
- (4) Total disability for 90 or more consecutive days. "Total disability" means medically determinable physical or mental impairment which prevents the victim from performing all or substantially all of the material acts and duties which constitute his usual and customary daily activities.

The purpose of this bill request was to provide insurance coverage and protection to those non-profit organizations such as Elder Port, which is a federally funded organization providing transportation for the elderly, the Vista Program, which is like a domestic peace corps with volunteer workers, church organizations which provide transportation services for the elderly and sick and other such organizations. These transportation services are necessary to transport such persons to the hospital, doctors' offices, grocery shopping and etc.

There are many housewives who donate their services for such organizations, including the Red Cross and the Cancer Society, and they provide transportation in their own automobiles for the elderly and sick. These volunteer workers generally do have insurance coverage but could be inadequate in case of a serious accident, which could expose the non-profit organization to liability for which insurance coverage is apparently not available.

There are some non-profit organizations who have their own vehicles, such as Elder Port, which uses mini buses and which need the use of volunteer drivers, such as housewives to accomplish their charitable services.

Insurance coverage should be available to provide protection to these non-profit organizations. Otherwise, they could be subject to such liability that could jeopardize their existence and eliminate a useful community position.

Sh 321
Exhibit C

I am Jean Leachase, legislative
chairman for C W U - in Northern Nevada.

We believe it would be to everyone's
benefit to limit liability for volunteer
drivers. The alternative is to close
our eyes to real needs. People feel
guilty about not volunteering to
drive - but they are afraid of the liability in case of a
catastrophic accident.

Church women have focused on the needs of the aged,
but volunteer drivers are needed for the young too. I
have here a list of requests for volunteers . . .

People who care enough to give of their time and
car expence should not be penalized by extra-ordinary
fears of the catastrophic accident.

DEPARTMENT OF HUMAN RESOURCES

AGING SERVICES

CONTACT PERSON: Ms. Linda Botts
885-4210

1. The Silverada residents have expressed need for their own vehicle(s) for expanded transportation services for a broader range of activities than can currently be provided by Elderport, and for use in the evening hours.
2. The Numaga Nutrition program at Nixon needs another van.
3. Swimming pool at Silverada needs repair.
4. More money is needed to expand home-delivered meals (Care & Share).
5. Assist local elderly programs with fund-raising events, i.e., man concession booths, etc.
6. Furnishings for new senior center in Reno, especially gift shop.
7. Materials and labor for chore service program conducted by Reno Senior Center.
8. Cash for emergency service fund for seniors operated by Reno Senior Center (when social security or retirement checks are held up).
9. Food or cash donations for food banks at Reno Senior Center or Community Services Agency.

HEALTH PLANNING & RESOURCES

CONTACT PERSON: Ms. Myrl Nygren
885-4720

Support a "Candy Striper" program to provide volunteer services to the elderly in a home setting, e.g., watering plants, watering the lawn, walking the dog, taking the elderly for walks/rides, etc.

MENTAL HYGIENE/MENTAL RETARDATION DIVISION

Nevada Mental Health Institute:

Contact Person: Felicity Young
322-6961 - Ext. 231

1. Has a need for special equipment for handicapped persons (a communication board and a specially-fitted typewriter).

2. Need paint, equipment and manpower for painting murals on the Mental Retardation Unit walls.

Reno Mental Health Center:

Contact Person: Lynn Herman
784-6276

Would like a contact person from the Kiwanis Club to come in and set up some type of work. Are very interested and would appreciate any type of help.

Lake's Crossing Center:

Contact Person: Gary Hammersmith
784-4701

Needs help with their canteen, selling snacks and sandwiches, etc.

Rural Clinics:

Contact Person: Luanne Thoma
784-6417

Needs assistance with xerox copying, typing work, four hours a week.

Children's Behavioral Services:

Contact Person: Kris Johnson
784-6464

Very interested and would like a contact person from Kiwanis Club to come in and discuss this.

Northern Nevada Mental Retardation Center:

Contact Person: Mike McAlinden, Vocational Trainer
322-6961

Would like assistance with the Freeport Assembly Services Training program (FAST), a community training center. They are in need of all types of help during the day.

HEALTH DIVISION - SPECIAL CHILDREN'S CLINIC

CONTACT PERSON: Dr. Joan Edwards
784-6321

1. Stereo - records - tapes for the children.
 2. Sponsorship of a summer teacher and teacher's aide (school district provides this during the regular school year).
 3. Bus for transporting children.
 4. Volunteers to help transport children.
-

NORTHERN NEVADA CHILDREN'S HOME

CONTACT PERSON: John Aberasturi
885-4230

1. Could use membership help from those interested in being "Big Brothers" in our program. This is the one area we have where we want involvement on a personal level.
2. A somewhat less personal involvement would be to establish a birthday club for our population. We would be happy to provide a birthday list of all the children and the children would acknowledge by a personal letter, any birthday cards or gifts they would receive.
3. We always welcome donations to our Scholarship and Gift Funds. The Gift Fund is used to purchase items for the children for which we have no State appropriation. Among these items are school year books and class pictures, student body cards, class dues, graduation gifts and clothing, membership dues to organizations such as FTA and scouts, etc., special recreation equipment, etc.

2/25/77, Keno Mental Health Center, 4600 Kietzke, Bldg. O, Suite 265
Robert Kieffer, Director

Need review of program and administrative structure ~~xxxxxxx~~ by knowledgeable persons to obtain community viewpoint and reactions.

Dotty McCarthy, Adolescent Program

- 1) Need volunteer secretarial help and statistical work amounting to a total of 1 full time person, 35-40 hours per week. Secretarial help involves answering telephone and clerical work. By advance arrangement, can schedule any part of this.
- 2) Also need transportation on irregular basis for 8:15 AM arrival and 2:30 PM departure.
- 3) Legal help needed on occasional financial and marital problems. Conference with staff to provide legal advice would be valuable.
- 4) Material need is for a dictating machine.

Ray Howard, Adult Program

- 1) Need data gathering clerical and statistical help amounting to a total of 1 person half time. Can schedule any time available.
- 2) Legal help frequently needed on financial and marital problems. Occasional conference with staff by an attorney would be helpful.
- 3) Need material and professional help in decorating waiting room at 560 Mill St. where adult program office is located. Especially need pictures to brighten dark room.

2/25/77, Northern Nevada Children's Home, John Aberasturi, Sup't.
885-4230

- 1) Greatest need is in "Big Brother & Sister" program. Could use 30 persons on one to one basis in befriending a particular child. Could take out occasionally and generally try to restore faith in adults.
- 2) Wants to establish Birthday Club for inmates. Would furnish list of names and birthdates. Cards (and gifts) would be sent and children would reply by letter.
- 3) Scholarship and gift fund donations are needed. The scholarship fund is used for career planning and vocational school expense for those ready to leave the Home.

The Northern Nevada Children's Home is not an orphan's home but for those of teen age who have been in trouble and are wards of the court. There are currently 70 inmates (40 boys, 30 girls) all there on court order. One is age 9, 3 or 4 are aged 10 - 12. The rest are 13 or older. Tough characters.

2/28/77, Keno Mental Health Center, 4600 Kietzke, Bldg. N, Suite 253
Kris Johnson, Children's Behavioral Services

Has staff of 7 dealing with 60 children ages 6 - 13 most of whom attend public school but are very retarded in work and need tutoring in reading and otherwise. They are not mentally retarded but are from families where parents are separated or widowed and have been unable to give the attention. In July, this agency will move to new building north of University and will have adequate facilities and staff of 30. Help apparently not needed until after move. Will then need:

- 1) Tutoring.
- 2) Transportation 1 or 2 hours per week to YMCA, park, etc.
- 3) Need merchant discounts and special rate coupons to be used in rewarding those completing programs.

First year No-Fault - 1974 Bodily Injury frequency dropped 37%
 Bodily Injury severity doubled
 Frequency went from 1.50 to 0.94 (number of claims per 100 cars insured)
 Severity went from \$2,477 to \$4,856 per claim settled
 By end of 1976 frequency climbing back up - now 31% off of 1973
 Severity now up 61% over 1973
 BRB Frequency steady - 3 claims per 100 cars
 Severity up 254% 1974 - Av paid claim \$449
 1976 - Av paid claim \$1,590

Figures tell us: No-Fault works
 Removed small Bodily Injury claims from the system
 Lowered BI premiums
 Policyholders saved money

As costs of services go up - COL 25.9 (74 to 76) Medical care 36.0%
 With fixed threshold - more people are going back into the Bodily Injury system.
 And more are remaining longer in the BRB program - thus the need for independent IME.
 We are all concerned with increasing cost of insurance in Nevada.

CSAA experience - comparing California with Nevada Bodily Injury rates
 1/63 to 1/74 (pre No-Fault)

California rates increased 59%	Av 5.4% per year
Nevada rates increased 44%	Av 4.0% per year

Since No-Fault 2/74 - 12/76

California rates increased 21%	Av 7% per year
Nevada rates <u>REDUCED</u> 15%	

Projected for rate increases in 1977 - 4 year experience

California 30%	Av 7.5% per year for 4 years
Nevada 22% - minus 15% = 7%	for 4 years - Av less than 2%

No-Fault is meaningful. Has been effective in Nevada. Can continue to be effective with modifications. It is the only thing currently being tried to change the system and control costs.

Three choices: Status quo

BI rates and BRB rates will go up - Adopt 305 and 306
 Frequency will go down again and costs can be held down as has been demonstrated (74-76)

Repeal No-Fault - Guarantee BI rates will go up dramatically

EFFECT ON RATES BY SETTING
UNIFORM RATE FOR ALL TERRITORIES

*Vergie
Anderson
Exhibit 6*

<u>Territory</u>	<u>% Distribution of Exposure</u>	<u>Typical Premium</u>	<u>Premium Increase (Decrease)</u>	<u>% Increase (Decrease)</u>
<u>Northern and Central California (CSAA)</u>				
*91 Remainder of State I	4.2%	\$252	\$ 69	27.4%
*79 Remainder of State II	4.1	268	53	19.8
*80 Remainder of State III	3.6	280	41	14.6
73 Stanislaus	1.4	281	40	14.2
98 Sacto/San Joaquin, Rural	0.8	285	36	12.6
76 Contra Costa-Bal.	0.3	289	32	11.1
66 Fresno Metro	1.1	292	29	9.9
64 Sacramento Metro	3.3	294	27	9.2
75 Fremont-Livermore	1.6	295	26	8.8
77 Marin	1.7	295	26	8.8
74 Santa Clara-Bal. (Gilroy)	0.2	297	24	8.1
53 No. Santa Clara (San Jose, Palo Alto)	5.4	300	21	7.0
61 Oakland Suburban (Concord)		302	19	6.3
62 Richmond-San Pablo	2.8	302	19	6.3
63 Stockton Metro	1.1	310	11	3.5
52 San Mateo-Bal. (Redwood City, San Mateo)	3.1	310	11	3.5
70 San Leandro-Hayward	1.7	345	(24)	(7.0)
60 Oakland Metro (Oakland, Berkeley)	2.5	381	(60)	(15.7)
50 No. San Mateo (Daly City, So. S.F.)	1.1	382	(61)	(16.0)
51 San Francisco	3.5	486	(165)	(34.0)
Northern and Central California (CSAA)	43.5	313	8	2.6
<u>California</u>	100.0	321		
% of Exposure Receiving Increase		66.5%		
% of Exposure Receiving Decrease		33.5%		

Nevada (CSAA)

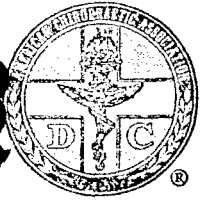
Washoe, Carson, Churchill	267	14
Clark	289	(8)

Average \$281

Typical premium based on 15/30 BI; \$10,000 PD; \$10,000 PIP; \$50 Ded. Comp; \$100 Ded. Coll; and 15/30 UM, utilizing Class IA, Symbol 5, Age Group 2. Bumper discount applied when applicable. All territory premium figures were obtained from the December 8, 1976 ISO Private Passenger Auto Premium Comparison Report. Estimated statewide average premium is based upon the typical territory premiums weighted for their BI exposure.

AMERICAN CHIROPRACTIC ASSOCIATION

pk 318
Exhibit F



EXECUTIVE OFFICES
2200 GRAND AVENUE
DES MOINES, IOWA 50312

Office of the President

HENRY G. WEST, JR., D. C.
1355 EAST CENTER
POCATELLO, IDAHO 83201

March 18, 1977

Norman Engel, DC
2006 Universe Circle
Las Vegas, Nevada 89109

Dear Dr. Engel:

In reply to your request relative to the utilization of electromyography by chiropractic physicians may I refer to the Idaho Code Section 54-712:

-Any licentiate under this chapter may adjust any displaced segment of the vertebral column or any displaced tissue of any kind or nature, for the purpose of removing occlusion of nerve stimulus in the bodies of human beings, and practice physiotherapy, electrotherapy, hydrotherapy, as taught in chiropractic schools and colleges...

54-713 Chiropractors licensed under this chapter shall observe and be subject to all state and municipal regulations relating to the control of contagious and infectious diseases, reporting and certifying deaths and all matters pertaining to public health.

Regulations: The examination shall be both written and practical and shall cover....Diagnosis....Laboratory Analysis...

Electromyography is taught in many of the chiropractic colleges. Since chiropractic physicians are held accountable for diagnosis and the interpretation of laboratory procedures the Idaho Board of Chiropractic Examiners have a memorandum that the piercing of tissue for the purpose of diagnosis is an acceptable chiropractic procedure, such as venipuncture. It is certainly within the purview that this would include the piercing of tissue with needles for electromyography. I know the same holds true for the state of Oregon, and would apply in all those states that have a broad chiropractic law that permits venipuncture.

Very truly yours,

Henry G. West, Jr.
Henry G. West, Jr. DC

HGW/pj

SL 3/8
(213) 877-1561
Exhibit B

CALIFORNIA CHIROPRACTIC
CREDIT UNION
4883 Lankershim Blvd.
North Hollywood, CA 91601

March 17, 1977

Norman Engel, D. C.
1300 E. Sahara
Las Vegas, Nevada 89104

Dear Doctor Engel,

In reply to your specific question as to whether or not doctors of Chiropractic utilize Electromyography, I can answer that many Chiropractic Orthopedists certainly do and some general practitioners also avail themselves of this tool.

In some states where penetration of skin is held to be surgery, other types of electrodes, rather than micro needles are sometimes used. However, for the best diagnostic results, micro needle insertion is more accurate.

We have taught the use of Electromyography (EMG) in Post Graduate Orthopedic classes for many years, since it is incumbent upon the Chiropractic Physician to use every diagnostic measure possible in the interests of the public.

In this fashion, chiropractic patients receive in the neuromuscular and orthopedic conditions, one of the best diagnostic aids available.

Our best to you and the profession.

F. Maynard Lipe, D.C., D.A.B.C.O.

F. Maynard Lipe, D.C., D.A.B.C.O.
Dean Emeritus, Post Graduate School L.A.C.C.

FML/mo