

SENATE COMMITTEE ON HUMAN
RESOURCES AND FACILITIES

APRIL 16, 1977

The meeting was called to order at 8:02 a.m. on Saturday, April 16, 1977, in Room 323, with Senator Jack Schofield in the Chair.

PRESENT: Chairman Jack Schofield
Vice-Chairman Joe Neal
Senator William Raggio
Senator Richard Blakemore
Senator Wilbur Faiss
Senator William Hernstadt

GUESTS: Fred Hillerby, Nevada Hospital Association
Joyce Woodhouse, Nevada State Education Association
Jim Costa, Department of Education
Paul Ghilarducci, Nevada State Education Association
John Hawkins, Carson City School District
Vernon Rowley, Carson City School District
William LaBadie, State Welfare Division
Bert Cooper, Exec. Secy. of the Nevada Interscholastic
Association
Milt Fleischer, Lion's Club
Howard Hill, Department of Motor Vehicles
Paul Cohen, Division of Alcohol & Drug Abuse

S.B. 285

The Committee considered the Amendment 637 A to S.B. 285,
(Exhibit "A").

Mr. Fred Hillerby of the Nevada Hospital Association said that he would like to suggest an amendment in addition to 637 A which would also include patient's responsibilities:

- (1) Responsible for providing accurate medical history to the physician;
- (2) Responsible to follow the course of treatment when mutually agreed upon;
- (3) Responsible for considerate treatment of the facility personnel involved in their care;
- (4) Responsible for considerate treatment of other patients; and,
- (5) The patient is responsible for providing accurate financial information so that the responsible party/parties may be billed and the provided services reimbursed.

-- Ms. Ann Hibbs of the Nevada Nurses Association who could not testify on this date, asked that it be part of the record that her Association supports S.B. 285 and Mr. Hillerby's amendment.

Mr. Hillerby asked if the Board of Health will have some regulatory function in determining if these responsibilities are being processed correctly? Senator Raggio suggested that the Board may set this as part of their licensing standards, through their adopted regulations.

(Senator Faiss entered the room)

Mr. Hillerby said that in an acute hospital setting, as opposed to long-term facilities, it is difficult to say in advance what all the charges will be. He said that in A.B. 559, the other bill dealing with patient's rights, it calls for an explanation of all the charges, rather than a listing of the charges in advance, "To know the cost of treatment and examine and receive an explanation of the bill regardless of the source of payment."

Senator Raggio: Motion to amend S.B. 285 in the printed portion on Line 9 to say, "minimum rights not inconsistent with the rights established herein"; and amend with 637 A, but changing Sub-section (a) to state "basic charges" and delete Sub-section (g) after the wording "...by his spouse"; and to add the five items listed as patient's responsibilities (See Page One of this date's minutes -- Mr. Hillerby); and on Page 3 of 637 A, amend Section 2 to "provide a written statement reciting, in substance, each of the rights and responsibilities...."

Senator Faiss: 2nd the Motion.

The Motion passed. (Exhibit "B")

Senator Raggio submitted a letter for the records from an attorney, Theodore Schroeder in Reno concerning the closing of schools, S.B. 457, (Exhibit "C").

A.B. 265

Senator Blakemore said that after the bill was introduced, it was found that most hospitals already conduct risk-management. Mr. Hillerby submitted a letter from Farmers Insurance as part of the record regarding risk-management, (Exhibit "D"). This insurance company insures 15 of Nevada's hospitals.

Senator Neal asked if this was just a safety program for the hospitals? Mr. Hillerby said this also involves reviewing procedures used by the staff of the hospitals; physical plant safety; patient and visitor safety.

Senator Neal asked if there was one specific group that handled this program? Mr. Hillerby said that this is handled by the administration, but there are various committees who are assigned to oversee specific items, i.e., Safety Committee (physicians, nurses and management).

S.B. 499

Ms. Joyce Woodhouse of the Nevada Education Association (NSEA) spoke as a proponent of S.B. 499.

Senator Raggio asked if in the present law there is a statute regarding class size? Ms. Woodhouse said that the State Board has said by resolution that class sizes shall be no more than 30. Mr. Jim Costa of the Department of Education stated that the State Board has not put class size in the form of a regulation, and the Department uses 30 as a measure. Senator Raggio commented that Sub. Section 6 of the bill deals with the reduction of A.D.A. funding if the districts have not complied with the State Board's resolution.

Ms. Woodhouse said that in surveys conducted among teachers in Clark County, the lowering of class size has ranked evenly with their desire for higher salaries. Senator Hernstadt asked if the teachers in Clark County have expressed a desire to forego an increase in salary in order to assist in the costs of lowering the classroom size? Ms. Woodhouse said not in Clark County, and she added that class size is a non-negotiable item. Senator Neal asked what is the ideal class size? Ms. Woodhouse said that it depends on the grade level, but 22-24 is a "good working figure".

Mr. Jim Costa presented some information for the Committee. He said that in the elementary schools, there are presently only 4 school districts that are not at the 22 (class size) or lower level, and for all four of these districts it would take a total of 202 teachers to reduce the class size to 22 students. He said that in secondary schools, only Clark and Washoe counties are not at the 26 student level, and it would take a total of 102 teachers to reduce their class sizes. He said that the average salary for teachers is \$13,000, and this would mean if all the needed teachers were hired, an expenditure of \$3,952,000 in salary funds. (Mr. Costa said that his figures do not include any non-certificated personnel).

Mr. Costa said that in the Washoe County elementary schools, there is a student/teacher ratio of 20 to 1 (may differ for individual classes); and on a statewide basis in the elementary schools, it is 22.6 to 1; and 25.5 to 1 in the high schools. He said that in Clark County in the elementary schools, it is 25 to 1, and 27 to 1 in the high schools.

Mr. Paul Ghilarducci of the Nevada State Education Association spoke as a teacher in Douglas County. He stated that he does

not know of a class in Douglas County that has 22 students. Mr. Costa said that his figures came from the first month's enrollment reported by the school districts, and also used the numbers recorded by the teachers in the same month.

Mr. John Hawkins of the Carson City School District stated that his District is above the 22 students, their average is between 28 and 31 students. Mr. Hawkins said that they are in accord with reducing class size, but the cost would be extremely excessive.

S.B. 490

Mr. Jim Costa said that he was requested to give a fiscal note on this bill. He stated that there are about 900 students in any given month that have a birthday in Nevada, so that is about 10,000 birthdays. Mr. Costa said that this bill deals with 3 and 4 year olds, and this is about 20,000 youths, so it would be about \$600/pupil in costs if all participated, which totals \$12 million. Senator Hernstadt said that for every child that went into this program, this should mean that a parent will be working, which will reduce welfare. Senator Schofield commented that the children would only be in school for about 3 hours every day. Senator Hernstadt said isn't there a correlation between early education and I.Q.? Mr. Costa said that a certain amount of I.Q. can be developed by experience and exposure, and he said to Senator Neal that the "Head Start" programs do cause the child to be advanced up to Grades 5 and 6, and then they merge together.

S.B. 491

Senator Faiss as sponsor of this bill said that the thrust of S.B. 491 is to limit students in any vocational class, the number of tables, benches and other work positions for their involvement, and also to provide for a level of safety in the vocational programs which meet the standards adopted by O.S.H.A.

S.B. 494

Senator Raggio said that the purpose of the bill is to meet the situation where the child has just missed the cut-off date for admittance to First Grade. He said that this ought to be for any child who is within 6 months of the age. Senator Neal talked as a parent about two of his children who had to wait for entrance into public school, even though they had attended pre-school courses.

Ms. Woodhouse said that the NSEA opposes S.B. 494 because the Association believes the deadline of September 30 is much more reasonable than the previous December 30 deadline.

Ms. Woodhouse spoke to both the financial impact of this legislation, and the emotional impact on the children of attending school too early. She asked if it was possible to devise an examination that would determine the maturity level of a 5 year old or younger, and how will the exam be administered? She stated that even when a waiver is requested for the best reasons, when an exam is given the child is under a great deal of pressure and tension. Senator Raggio commented that he would assume that these exams would be "teacher observations" rather than a large written test.

Senator Neal discussed the fact that perhaps this could apply to children who have attended pre-school courses. Ms. Woodhouse said that the maturity of the child depends on the pre-school, and the teachers do not have the authority to retain a child in a grade if the parents request the child be advanced.

Mr. Vernon Rowley of Carson City School District stated that he is concerned that the bill as written shows no "floor". Senator Raggio commented that he had proposed an amendment that this be limited to the children who are within 6 months of the deadline.

Senator Raggio and Mr. Rowley discussed this in length.

Senator Raggio: Motion for Indefinite Postponement of
S.B. 494 (Exhibit "E")
Senator Faiss: 2nd the Motion

The Motion passed. (Senators Neal & Hernstadt voted "NO")

A.B. 299

Mr. William LaBadie of the State Welfare Division requested that this measure be "killed" because if it were passed it would mean that the Division could never get a felony conviction.

Senator Neal: Motion to Indefinitely Postpone A.B. 299
Senator Blakemore: 2nd the Motion

Discussion:

Senator Raggio felt that a gross misdemeanor is severe in itself. Mr. LaBadie said that an Attorney General's opinion stated that if A.B. 299 passed, the Division could not prosecute for a felony under the Criminal Code.

Senator Neal: Withdraws his motion.

Senator Raggio said that this would have the affect in these particular cases of reducing the charge from what could now be a felony in the general laws, to no more than a gross

misdemeanor.

Senator Raggio: Motion for Indefinite Postponement
Senator Blakemore: 2nd the Motion

The Motion passed. (Senator Neal & Hernstadt voted "NO")
(Exhibit "F")

S.B. 500

Senator Faiss said that the thrust of this bill is in Section Two. Mr. Bert Cooper of the Nevada Interscholastic Activities Association presented a written statement to the Committee, (Exhibit "G").

S.B. 490

Senator Faiss: Motion for Indefinite Postponement of S.B. 490
Senator Raggio: 2nd the Motion

The Motion passed. (Exhibit "H")

S.B. 491

Senator Faiss: Motion for Indefinite Postponement of S.B. 491
Senator Raggio: 2nd the Motion

The Motion passed. (Exhibit "I")

S.B. 500

Senator Faiss: Motion for Indefinite Postponment of S.B. 500
Senator Hernstadt: 2nd the Motion

The Motion passed. (Exhibit "J")

A.B. 499

Ms. Ann Hibbs of the Nevada Nurses Association asked that it be made part of the record that her Association supports A.B. 499.

Mr. Milt Fleischer of the Lion's Club said that the funding of this bill is totally by the Lion's Club. Mr. Howard Hill of the Department of Motor Vehicles said that this funding will pay for the pamphlet and the card and it will be printed directly by them.

Senator Raggio: Motion to Do Pass A.B. 499 (Exhibit "K")
Senator Hernstadt: 2nd the Motion.

The Motion passed.

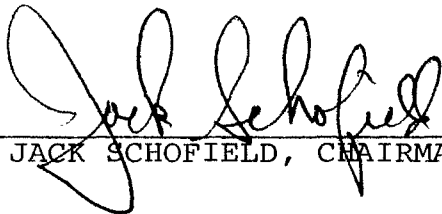
H.R. & F.
APRIL 16, 1977

PAGE SEVEN

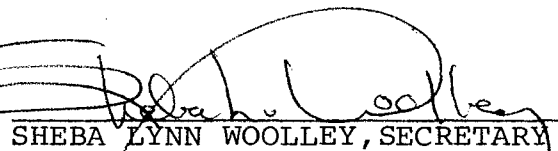
A.B. 460

Mr. Paul Cohen of the Bureau of Alcohol and Drug Abuse said that the Bureau is in support of this bill. Mr. Cohen said that the Bureau has no problem in working with District Attorneys in terms of placing or doing a make-up on a potential client so that it can be put on a court order to give the judge another alternative in lieu of placing the person in jail or on their own reconnaissance. Mr. Cohen said that the Bureau is concerned because they do not have programs in every community or in every county. Senator Raggio asked why this only available after the person is convicted? Mr. Cohen said that this bill was introduced by the District Attorney's Association, and in the 2nd Reprint this was deleted.

The meeting was adjourned at 10:00 A.M.



SEN. JACK SCHOFIELD, CHAIRMAN



SHEBA LYNN WOOLLEY, SECRETARY

Adopted <input type="checkbox"/>	Adopted <input type="checkbox"/>	EXHIBIT "A"	Amendments to Assembly / Senate
Lost <input type="checkbox"/>	Lost <input type="checkbox"/>		
Date:	Date:		Bill / Joint Resolution No. <u>285</u> (BDR40-92)
Initial:	Initial:		
Concurred in <input type="checkbox"/>	Concurred in <input type="checkbox"/>		Proposed by <u>Committee on Human Resources</u>
Not concurred in <input type="checkbox"/>	Not concurred in <input type="checkbox"/>		<u>and Facilities</u>
Date:	Date:		
Initial:	Initial:		

1977 Amendment N^o 637 A



Amend the bill as a whole, insert a new section, to be designated as section 1, preceding section 1, to read:

"Section 1. Chapter 449 of NRS is hereby amended by adding thereto a new section which shall read as follows:

1. Every patient or resident of a health and care facility who is not protected by a federal regulation imposing a higher standard has the right:

(a) To be informed, at the time of admission and at other times upon request, of the regulations and policies of the facility, the services provided and the charges.

(b) To be informed of his medical condition and the name of his attending physician, and to participate in the plan for his care unless the physician has directed otherwise and his written instruction is included in the medical record.

(c) To manage or delegate the responsibility for managing his personal financial affairs.

(d) To retain personal clothing and personal possessions in a reasonable amount.

(e) To receive and send correspondence unopened.

(f) To expect a reasonable response to his reasonable personal requests or grievances without fear of reprisal.

(g) To be treated with consideration and respect, including the right to privacy for visits by his spouse and, where two patients or residents of a facility are married to each other, the right to share a room unless his physician has directed otherwise with appropriate documentation in the medical record.

(h) To participate in activities of social, religious and community groups if he chooses to do so, unless his physician has directed otherwise with appropriate documentation in the medical record.

(i) To be free from mental and physical abuse and free from physical restraints and, except in emergencies, chemical restraints unless his

physician has given written authorization with appropriate documentation in the medical record.

(j) To refuse medicine or treatment and to refuse to participate in medical research.

(k) To be free from requirements to perform services for the facility which are not included in the plan for his care as therapeutic activities.

(l) To have his personal and medical records treated as confidential and the right to refuse or approve the release of such records to any person outside the facility except as required by law or by a contract providing for payment by a third party.

(m) To be informed in advance of plans for his transfer or discharge and of the reasons therefor.

2. Upon admitting any person for treatment or care, the owner or chief administrator of a health and care facility shall provide the person or his legal representative with a written statement reciting, in substance, each of the rights enumerated in subsection 1."

Amend the bill as a whole, renumber section 1 as section 2.

Amend section 1, page 1, line 4, after "inclusive," insert:
"and section 1 of this act,".

Amend section 1, page 1, delete lines 9 through 13.

Amend section 1, page 1, line 14, delete "(d)" and insert "(c)".

Amend section 1, page 1, delete line 16 and insert "sive [.] , and
section 1 of this act."

EXHIBIT "A"

Amendment No. 637A to Senate Bill No. 285 (BDR 40-92) Page 4

Amend section 1, page 1, delete line 20 and insert "each [individual] person accommodated in the facility [.] and must encompass all of the rights enumerated in section 1 of this act."

Amend the title of the bill, delete lines 1 through 3 and insert:
"AN ACT relating to health and care facilities; establishing certain rights of patients and residents of such facilities; prescribing duties of the state board of health in connection therewith; and providing other matters properly relating thereto."

To Engrossment

2487

(4) CFB

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

S. B. 285

SENATE BILL NO. 285—SENATORS BRYAN AND NEAL

FEBRUARY 28, 1977

Referred to Committee on Education, Health and Welfare
and State InstitutionsSUMMARY—Requires state board of health to establish certain rights for
patients or residents of health and care facilities. (BDR 40-92)FISCAL NOTE: Local Government Impact: No.
State or Industrial Insurance Impact: No.EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to health and care facilities; establishing certain rights and duties of patients and residents of such facilities; prescribing duties of the administrators of such facilities in connection therewith; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

- 1 SECTION 1. Chapter 449 of NRS is hereby amended by adding
2 thereto a new section which shall read as follows:
3 1. *Every patient or resident of a health and care facility who is not*
4 *protected by a federal regulation imposing a higher standard has the*
5 *right:*
6 (a) *To be informed, at the time of admission and at other times upon*
7 *request, of the regulations and policies of the facility, the services pro-*
8 *vided and the basic charges.*
9 (b) *To be informed of his medical condition and the name of his attend-*
10 *ing physician, and to participate in the plan for his care unless the physi-*
11 *cian has directed otherwise and his written instruction is included in the*
12 *medical record.*
13 (c) *To manage or delegate the responsibility for managing his personal*
14 *financial affairs.*
15 (d) *To retain personal clothing and personal possessions in a reason-*
16 *able amount.*
17 (e) *To receive and send correspondence unopened.*
18 (f) *To expect a reasonable response to his reasonable personal requests*
19 *or grievances without fear of reprisal.*
20 (g) *To be treated with consideration and respect, including the right*
21 *to privacy for visits unless his physician has directed otherwise with*
22 *appropriate documentation in the medical record.*
23 (h) *To participate in activities of social, religious and community*

Original bill is 2 pages long.
Contact the Research Library for
a copy of the complete bill.

SINAI, OHLSON & SCHROEDER

COUNSELORS AT LAW

JOHN S. SINAI (1892-1973)

DAVID P. SINAI
JOHN OHLSON, JR.
THEODORE J. SCHROEDER

ROBERT E. NELSON-KORTLAND

*First National Bank Building
Reno, Nevada 89501*

TELEPHONE: (702) 323-5178

April 14, 1977

Senator William Raggio
Nevada State Senate
Capitol Complex
Carson City, Nevada

Re: Senate Bill No. 376

Dear Bill:

I have reviewed Senate Bill No. 376. It is not an area that I would be familiar with if it were not for my present involvement with the Washoe County School Board concerning the closing of Mt. Rose School. There is no doubt that the School Board is overworked and underpaid, or more properly, not paid at all, but its relations with the citizenry at large could certainly use some internal structuring. It is my impression that Senate Bill No. 376, through the Nevada Administrative Procedure Act, would supply that structure.

Incidentally, I have also reviewed Senator Blakemore's Senate Bill No. 457 and while I agree with its basic philosophy, I do see one area that should be clarified. Senate Bill No. 457 provides for hearings after the fact. The problem in the larger counties would seem to be one of giving notice to the concerned citizens such that they are aware of the decision, i.e. to close or change the location of a school. In other words, there should be

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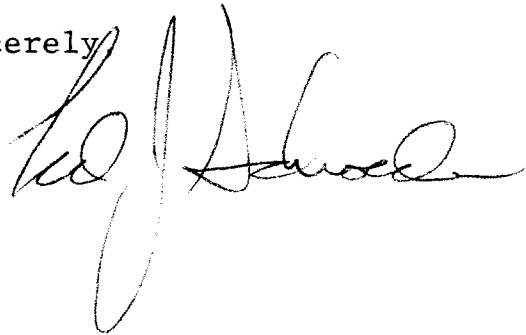
COUNSELORS AT LAW

Senator William Raggio
April 14, 1977
Page Two

some provision within Senate Bill No. 457 to insure that the concerned citizens, in fact, would receive notice of the change or closing within the thirty (30) day period following decision or, I believe more properly, before the issue actually comes to a vote by the School Board.

Thank you for your consideration.

Sincerely

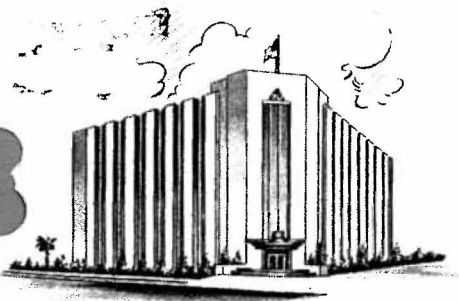
A handwritten signature in cursive script, appearing to read "Ted J. Schaefer". The signature is written in dark ink and is positioned to the right of the word "Sincerely".

TJS:c

EXHIBIT "D"

FARMERS INSURANCE GROUP

FARMERS INSURANCE EXCHANGE
TRUCK INSURANCE EXCHANGE
FIRE INSURANCE EXCHANGE
MID-CENTURY INSURANCE COMPANY
FARMERS' NEW WORLD
LIFE INSURANCE COMPANY
TEXAS FARMERS INSURANCE COMPANY



HOME OFFICE - LOS ANGELES CALIFORNIA

FARMERS INSURANCE GROUP

4680 WILSHIRE BOULEVARD • LOS ANGELES, CALIFORNIA 90051
MAILING ADDRESS: P.O. BOX 2478 PHONE: (213) 931-1961

January 27, 1977

Mr. Fred Hillerby
Executive Director
Nevada Hospital Association
1450 E. Second Street
Reno, Nevada 89502

Dear Fred:

We have had considerable experience with Risk Management Committees and Risk Managers in California which I would like to share with you.

First of all, let me distinguish between the two from my experience.

A Risk Manager usually means that you hire a person to oversee your insurance program from the cost point of view, but not necessarily actively engaged in loss prevention.

A Risk Management Committee is formed specifically for loss prevention activity. We have several of these set up in our individual hospitals here in California and are about to set up four in Arizona. Incidentally, to give you an idea of our involvement in medical malpractice, we insure about 460 hospitals in California and approximately 200 in Oregon, Washington, Montana, Nevada and Arizona.

Probably, our most successful Risk Management Program is at the University of California, Los Angeles. They have an advantage, however, in that all the doctors are employees of the University, consequently covered by the University, and therefore, have more control over the doctors. This particular committee, which is primarily made up of doctors in different specialties, but also represented by nursing and administration, meets on a monthly basis.

- Their purpose is to review incidents that occur in our hospitals and formulate policies and procedures so that the chance of such



reoccurrence of an incident is reduced or eliminated. I am enclosing a short format for the make up of such a committee.

I do not mean to say that such a committee can not function in a private hospital where the doctors are in private practice and not directly controlled by the hospital. Here it takes more of a "selling" job to interest the doctors and convince them of the value of such a committee. I feel very strongly that you can not legislate such activities, as it has to be accepted by everyone concerned on its face value.

We are now getting involved with this on a national level through AHA and AMA. Mr. Charles Schultz, Vice President on Malpractice with our company, is on one committee, and I am on another. We hope to feed incident information into this committee who in turn will attempt to secure expert opinions from, say the American College of OB/GYN, as an example.


In this given situation, it is hoped that this information can be shared nation wide in setting standards for loss prevention.

It is my understanding that Nevada is considering legislating Risk Management in hospitals over 200 beds. I don't know what is magic about 200 beds, but wish to point out that that would eliminate all the hospitals in Nevada with the exception of about three, namely, Washoe Medical Center, Southern Nevada Memorial, and Sunrise.

Again, I repeat, I do not believe legislation will solve this problem, but in fact, may hinder it. I feel that if this is done, the hospitals and doctors would go into it half-heartedly because the State said they had to, and not because of its value. I wish to point out, that the state of Florida has legislated Risk Management, but at this point in time do not know of a single committee that is accomplishing anything near what is being accomplished at the Risk Management Committee Meetings presently being held in California. It is our intention to promote such Risk Management Committees in our insured hospitals in the State of Nevada, beginning with the larger hospitals and any information derived from these would be shared with all hospitals in loss prevention.

I thank you for giving me an opportunity to briefly outline my views and if I can be of further assistance please let me know.

Very truly yours,
TRUCK INSURANCE EXCHANGE


Raymond K. Wenzel, Manager
Professional Liability

S. B. 494**SENATE BILL NO. 494—SENATOR RAGGIO**

APRIL 12, 1977

Referred to Committee on Human Resources and Facilities

SUMMARY—Provides for enrollment of children in public schools at lower age. (BDR 34-1753)

FISCAL NOTE: Local Government Impact: Yes.
State or Industrial Insurance Impact: Yes.EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to public schools; providing for enrollment of children at a lower age based on competency; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

- 1 SECTION 1. NRS 388.060 is hereby amended to read as follows:
 2 388.060 1. The board of trustees of a school district, with the
 3 approval of the superintendent of public instruction, may establish, equip
 4 and maintain a kindergarten or kindergartens in a school attendance area.
 5 2. Any child who will arrive at the age of 5 years by September 30
 6 may be admitted to kindergarten at the beginning of the school year and
 7 his enrollment shall be counted for apportionment purposes.
 8 3. **[If]** *Except as provided in subsection 4, if a child will not arrive*
 9 *at the age of 5 years by September 30, the child shall not be admitted to*
 10 *kindergarten until the beginning of the school year following his 5th*
 11 *birthday.*
 12 4. *The board of trustees of a school district, with the approval of the*
 13 *superintendent of public instruction, may permit any child to be admitted*
 14 *to kindergarten who has not attained the age of 5 years by September 30*
 15 *if, upon testing the child, the board determines that the child has the*
 16 *maturity and competence to participate in the kindergarten instructional*
 17 *program.*
 18 5. The board of trustees of a school district in which a kindergarten
 19 is to be established under the provisions of this Title of NRS shall budget
 20 for such purposes by including the costs in the next regular budget for the
 21 school district.
 22 SEC. 2. NRS 392.040 is hereby amended to read as follows:
 23 392.040 1. Except as otherwise provided by law, each parent, guard-
 24 ian, or other person in the State of Nevada having control or charge of
 25 any child between the ages of 7 and 17 years **[shall be]** *is* required to

Original bill is 2 pages long.
Contact the Research Library for
a copy of the complete bill.

(REPRINTED WITH ADOPTED AMENDMENTS)

SECOND REPRINT

A. B. 299

ASSEMBLY BILL NO. 299—COMMITTEE ON
HEALTH AND WELFARE

FEBRUARY 11, 1977

Referred to Committee on Health and Welfare

SUMMARY—Provides penalties for welfare fraud. (BDR 38-135)

FISCAL NOTE: Local Government Impact: No.
State or Industrial Insurance Impact: No.EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to state aid to the medically indigent; providing penalties for the fraudulent receipt of assistance or payment; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

1 SECTION 1. Chapter 428 of NRS is hereby amended by adding
2 thereto a new section which shall read as follows:

3 1. *A person who, by means of a willfully false statement or repre-*
4 *sentation or by impersonation or other fraudulent scheme or device,*
5 *knowingly obtains or attempts to obtain, or aids or abets any person to*
6 *obtain assistance or payment for rendering medical or remedial care to*
7 *which he is not entitled or greater than that to which he is entitled is guilty*
8 *of:*

9 (a) *A misdemeanor if the assistance or payment for rendering medical*
10 *or remedial care so received is less than \$100 in value.*

11 (b) *A gross misdemeanor if the assistance or payment for rendering*
12 *medical or remedial care so received is \$100 or more in value.*

13 *In assessing the penalty the court shall take into consideration, among*
14 *other factors, the amount of assistance or money fraudulently received.*

15 2. *For purposes of subsection 1, whenever a recipient of state aid to*
16 *the medically indigent receives assistance to which he is not entitled or*
17 *assistance of a value greater than that to which he is entitled for a third*
18 *time, and such receipt of assistance has resulted from a false statement or*
19 *representation by such recipient or from the failure of the recipient to*
20 *notify the division of a change in his circumstances which would affect*
21 *the amount of assistance such recipient receives, a rebuttable presump-*
22 *tion arises that such assistance has been fraudulently received.*

Original bill is 2 pages long.
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a copy of the complete bill.



Nevada Interscholastic Activities Assn.

ROBERT J. ZANDER, PRESIDENT
BERT L. COOPER, EXECUTIVE SECRETARY

400 WEST KING STREET
CAPITOL COMPLEX
CARSON CITY, NEVADA 89710
TELEPHONE: 885-4390

April 15, 1977

TO: Committee on Human Resources and Facilities
FROM: *AK* Nevada Interscholastic Activities Association
SUBJECT: SB 500

Mr. Chairman, members of the Committee, although we have not had enough time to really provide you with the information we would like because of the length of time between the bills introduction and this hearing, we are appalled that anyone could think that this bill is workable in its present form. It would be virtually impossible for member schools of our Association to acquire the licensed or trained personnel that this bill requires before any interscholastic athletic event could be conducted. I am certain the medical profession would agree one-hundred per cent with the above statement. There are just not enough people available to cover all of the activities that we have. We, therefore, oppose this bill for that reason.

BLC:tm

S. B. 490

SENATE BILL NO. 490—SENATOR FAISS

APRIL 12, 1977

Referred to Committee on Human Resources and Facilities

SUMMARY—Provides for establishment of early childhood education programs. (BDR 34-1771)

FISCAL NOTE: Local Government Impact: Yes.
State or Industrial Insurance Impact: Yes.

EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to public schools; providing for the establishment of early childhood education programs; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

- 1 SECTION 1. Chapter 389 of NRS is hereby amended by adding
- 2 thereto a new section which shall read as follows:
- 3 1. *The state board of education shall adopt regulations governing the*
- 4 *establishment of early childhood education programs for the children of*
- 5 *this state.*
- 6 2. *The board of trustees of a school district may establish, within the*
- 7 *limits of legislative appropriations, voluntary early childhood educational*
- 8 *programs for children between 3 and 6 years of age. Such programs may*
- 9 *be carried on in public schools, community centers, child-care centers, pri-*
- 10 *vate homes or at such other places as the board deems suitable.*

Original bill is on file at
the Research Library.

S. B. 491

SENATE BILL NO. 491—SENATOR FAISS

APRIL 12, 1977

Referred to Committee on Human Resources and Facilities

SUMMARY—Provides additional standards for vocational instruction in public schools. (BDR 34-1767)

FISCAL NOTE: Local Government Impact: No. State or Industrial Insurance Impact: No.

EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to education; providing additional standards for vocational instruction in public schools; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

1 SECTION 1. NRS 388.380 is hereby amended to read as follows:
2 388.380 1. Any board of trustees of a school district may:
3 [1.] (a) Establish and maintain vocational schools or classes giving
4 instruction in agricultural subjects, trade and industrial subjects, home
5 economics subjects, distributive occupation subjects, practical nursing sub-
6 jects, vocational guidance services and such other subjects as may be
7 included in the vocational education program in the State of Nevada.
8 [2.] (b) Raise and expend money for the establishment and main-
9 tenance of such vocational schools or classes in the same manner in
10 which [moneys are] *money* is raised and expended for other public
11 school purposes. [Moneys] *Money* so raised may be expended in pro-
12 viding vocational education as outlined in this Title of NRS.
13 2. *Commencing September 1, 1979, the board of trustees of each*
14 *school district shall:*
15 (a) *Limit enrollment of pupils in any vocational class, including any*
16 *laboratory, shop or other work area, to the number of tables, benches,*
17 *stations or other work positions for which the area was designed; and*
18 (b) *Provide for the maintenance of vocational equipment and work*
19 *areas at a level of safety which meets with standards adopted by the*
20 *department of occupational safety and health for similar equipment and*
21 *work areas of employers.*

30

Original bill is on file at the Research Library.

S. B. 500

SENATE BILL NO. 500—SENATOR FAISS

APRIL 13, 1977

Referred to Committee on Human Resources and Facilities

SUMMARY—Requires school officials to provide certain medical personnel for athletic events and practices. (BDR 34-1768)

FISCAL NOTE: Local Government Impact: Yes.
State or Industrial Insurance Impact: No.EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

AN ACT relating to education; requiring school officials to provide certain medical personnel for interscholastic athletic events and a nurse to be on call during certain practice sessions; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

- 1 SECTION 1. Chapter 392 of NRS is hereby amended by adding
2 thereto a new section which shall read as follows:
3 *No administrator, teacher or other certified employee may permit the*
4 *start or continuation of:*
5 1. *Any interscholastic athletic event at which a licensed medical*
6 *practitioner or a trainer licensed by the American Association of Ath-*
7 *letic Trainers or a comparable organization is not present and observing*
8 *the athletic activities of the participants; or*
9 2. *Any practice session for an interscholastic athletic event during*
10 *which a licensed medical practitioner or registered nurse is not on con-*
11 *tinuous and immediate call.*
- 12 SEC. 2. Chapter 394 of NRS is hereby amended by adding thereto a
13 new section which shall read as follows:
14 *No agent, headmaster, master, teacher, instructor or other employee*
15 *of a school which is subject to the provisions of this chapter may permit*
16 *the start or continuation of:*
17 1. *Any interscholastic athletic event at which a licensed medical*
18 *practitioner or a trainer licensed by the American Association of Athletic*
19 *Trainers or a comparable organization is not present and observing the*
20 *athletic activities of the participants; or*
21 2. *Any practice session for an interscholastic athletic event during*
22 *which a licensed medical practitioner or registered nurse is not on con-*
23 *tinuous and immediate call.*

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 499

ASSEMBLY BILL NO. 499—ASSEMBLYMEN DINI, MELLO, MAY, VERGIELS, ROBINSON, JEFFREY, WAGNER, HARMON, DEMERS, KISSAM, HICKEY, WESTALL, GOODMAN, POLISH, BARENGO, BREMNER, BROOKMAN, PRICE, KOSINSKI, MANN, GLOVER, HORN, SCHOFIELD, SENA, MOODY, SERPA, RHOADS, JACOBSEN, ROSS AND HAYES

MARCH 22, 1977

Referred to Committee on Transportation

SUMMARY—Provides for authorization of eye donor to be noted on driver's license or identification card. (BDR 40-1614)

FISCAL NOTE: Local Government Impact: No. State or Industrial Insurance Impact: No.

EXPLANATION—Matter in italics is new; matter in brackets [] is material to be omitted.

AN ACT relating to anatomical gifts; permitting a donor to attach information concerning a gift to his driver's license or identification card; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

- 1 SECTION 1. Chapter 451 of NRS is hereby amended by adding
- 2 thereto a new section which shall read as follows:
- 3 1. *A person who makes a gift of all or part of his body may attach*
- 4 *written permission for a physician to carry out the appropriate procedures*
- 5 *on a driver's license or an identification card issued by the department of*
- 6 *motor vehicles.*
- 7 2. *The department and its representatives are not liable for damages*
- 8 *in a civil action or subject to prosecution in any criminal proceeding on*
- 9 *account of any entry on or document attached to a driver's license or an*
- 10 *identification card issued by the department.*
- 11 SEC. 2. NRS 451.500 is hereby amended to read as follows:
- 12 451.500 NRS 451.500 to 451.585, inclusive, *and section 1 of this act*
- 13 *may be cited as the Uniform Anatomical Gift Act.*
- 14 SEC. 3. NRS 483.340 is hereby amended to read as follows:
- 15 483.340 1. The department shall (upon payment of the required
- 16 fee) issue to every applicant qualifying therefor a driver's license indicat-
- 17 ing the type or class of vehicles the licensee may drive, which license

Original bill is 2 pages long.
Contact the Research Library for
a copy of the complete bill.