

The meeting was called to order at 1:30 p.m. Room 213.

Senator Wilson in the Chair.

PRESENT: Chairman Wilson and Senators Blakemore, Don Ashworth, McCorkle, Close, Young and Hernstadt.
See attached guest list.

SB 10 Narrows definition of unethical conduct in profession of optometry.

SB 29 Narrows definition of unethical or unprofessional conduct in profession of optometry.

Senator Wilson announced that since SB 10 and SB 29 were so closely related, the hearing would consider them jointly.

Senator Wilbur Faiss presented material supporting these two bills (see Exhibit "A"). Senator Faiss had asked the Legislative Counsel Bureau to do research on optometric practices in other states. He stated that the research revealed that other states have lower prices for eyeglasses because of competition. He also said that optometrists from Nevada have hired lobbyists to try to have these bills defeated.

Senator Joe Neal stated that he, along with Senator Faiss, is introducing SB 10. He stated that the intent of Senate Bills Numbers 10 and 29 is to reduce the cost of eyeglasses and that if optometrists and opticians could have offices in mercantile locations, this could be accomplished.

Senator Young questioned the constitutionality of a law that prohibits advertising and limits sale to nonmercantile type locations.

Senator Neal stated that the reason there is so much opposition to these bills is the great number of people who would benefit from these locations and who would otherwise have had to go to more expensive sources.

Senator Hernstadt, the introducer of SB 29, presented additional material supporting this legislation (see Exhibit "B"). Senator Hernstadt stated that he wouldn't mind if the bills were consolidated. He stated that he would like his remarks to be entered in the minutes as follows: "Anyone who might say that by my SB 29 which removes the sections concerning advertising, it's my understanding in talking to optometrists that the Federal Trade Commission rule is already in effect and optometrists can advertise so I would say that no matter what happens, at least one bill should be put on the floor just to repeal that part of the statute because the FTC Act already supercedes our law and our statute should be cleaned up to account for that.

To anyone who might say that I have a conflict of interest because I own a television station, I would remind the Committee that my station is under contract for sale and will be sold before any benefit would accrue from this so I don't feel I have any conflict of interest.

"A member of the press approached me Friday and said that he had heard that precommitments had been reached from certain members of this Committee enough to kill the bill. I told that member of the press that, knowing the members of this Committee, I could not believe that to be true. The whole Committee system would be in jeopardy if there were precommitments prior to hearings and I indicated I really thought that it was a story told out of school and that it would not be appropriate and I am sure every member of this Committee would listen to the testimony and base their vote on the testimony that is in the record. Why do we have this law on the books? It is to protect the people. To protect the people from what? Twenty-three other states presently allow optometrists to practice in department stores or other such facilities, so that apparently the people in those twenty-three states are being equally protected. The Optometry Board gives tests to people before they get a license and makes sure that they live up to their standards. If they don't, they lose their license. I would hope, by the way, if this bill is processed that they wouldn't impede qualified people from getting their license to practice in stores such as Sears or Penny's. We're talking again about licensed people. We're not talking about Senator Neal or myself or Wilbur Faiss going into the practice of optometry. It would only be those people who are licensed. Now it has been said that this means that optometrists could practice in a dime store and would be a slave to two masters, the Optometry Board and doing what's right for the person's eyes on one hand and the boss of the store on the other hand. I think really that's an obscene criticism of the business community today, because Sears Roebuck and J. C. Penny's didn't grow to be great by cheating customers and giving them shabby treatment. I would assume that they would provide optometric services equal or better to that found in the individual practitioners. And should they commit malpractice, I would much rather be suing a large company than an individual practitioner with limited liability insurance. You have heard a lot about the argument called freedom of choice. I have the freedom of choice to wear my seat belt which I choose to do or not. It appears that the Legislature will pass a bill this Session allowing people to have the freedom of choice to crush their skulls on the pavement if they don't want to wear motorcycle helmets. Two years ago a bill was passed to allow certain drugs to be sold and used in this state, drugs which aren't authorized by the Federal Drug Administration. I've always been consistent to get Big Brother off the people's backs. Let people have freedom of choice. I cannot conceive giving people the right to use Laetrile and Gerovital and the right to munch their heads on the pavement and then we somehow protect them by saying that they can only

go to optometrists if they have individual establishments. So I'm being consistent, I don't like Big Brother. This is really an economic issue. Over the Christmas holidays, I was shopping in Fifth Avenue where Tiffany's and Cartier have stores. It's the retail high price classy Avenue in the world probably, and I went into a store at Forty-seventh Street and Fifth Avenue, E. J. Corvett's Department Store, and in the corner of the store they have E. J. Corvett's Optometrist. It's a sign right in that store that says you can have an eye examination for \$6.00. You can get a glaucoma test for \$3.00. It costs \$40.00 in Las Vegas to visit your optometrist and an optometrist informed me that the rate is \$42.00 up here. That represents a 77-1/2 percent discount if I get my examination in New York. Now I don't see that all the prices are going to drop to \$9.00, but these prices are being held at an artificially high level. We're not talking about the protection of people's eyes, we're talking about money and who pays it and who gets it. The optometrists have a unique and special privilege and advantage. They're the only folks that have the ability to examine someone's eyes and have a display area where they sell eyeglasses. Dispensing opticians only sell eyeglasses. Ophthalmologists, who are the top of the line, only examine eyes - if you really wanted to be protected. I'm not recommending this and saying that people should only have ophthalmologists examine a person's eyes, I just say that as an aside. In your material, which I distributed to members of the Committee, the President of the ophthalmologists of Las Vegas, has written a letter endorsing this proposal (see Exhibit "B"). He believes that it will reduce the cost of eye examinations and eyeglasses. I think it's critical that hearings on this matter be held by the full Committee in the City of Las Vegas, not just a subcommittee. This is a critical issue. The optometrists can afford the price of coming up here and testifying. They can afford to hire a lobbyist. Senior citizens, retired on Social Security, residents of the West Side of Las Vegas, cannot afford the luxury of traveling to Carson City to lobby. These people must and should be heard. I believe that when you hear all the testimony you will see that this is privilege that has long outlived its usefulness and should be repealed and then you will vote to place this bill on the floor of the Senate and "Do Pass". Thank you."

There was discussion as the advisability of allowing professional people such as optometrists who must maintain a high professional standard working for people not in the profession.

Senators Ashworth and Hernstadt discussed the remarks that the members of the press had made to Senator Hernstadt about Committee members having precommitments.

Senator Blakemore suggested that an amendment providing that the Optometry Board examine the leases between the merchants and the optometrists be added.

Senator Neal concurred with this suggestion as long as it would keep the costs down.

Senator Hernstadt stated for the record that neither he nor Senator Neal had been approached by any group to sponsor the bill.

Chairman Wilson introduced Senator Jean Ford who is introducing SB 95. Hearings on Senate Bills numbers 10 and 29 will follow after her testimony.

SB 95 Permits agent of prescriber to transmit prescription by oral order.

Senator Ford presented a letter from the Nevada Pharmacists Guild (see Exhibit "C"). She stated that in considering the bill, the pharmacists have quite a few amendments to suggest.

Dr. Neil Swissman, President of the Nevada Medical Association, stated that there is much concern about medical costs. He stated that he supports SB 95. It would provide for more efficient use of physicians' time by allowing them to delegate authority to other people. Dr. Swissman stated that the Nevada Pharmaceutical Association also supports SB 95. He stated that the patient is the one who suffers most because of having to wait for his medication.

Dr. Swissman presented a prepared statement and petitions signed by 2,000 Nevadans who support SB 95 (see Exhibits "D" and "E").

Senator Close asked about the different categories of drugs and if a prescription for narcotics could be called in.

Dr. Swissman stated that that is an amendment that physicians of Nevada would like to see added, and that no scheduled drugs could be given except by direct communication with the physician. He stated that Schedules 3 and 4 should be exempt from the bill and the physician would have to call it in himself or have a written one, and Schedules 1 and 2 could be given by the nurse.

Dr. Swissman explained to Senator Young that the pharmacists had been concerned about whose responsibility it would be if someone would phone a prescription in and the prescription was in error. He stated that if they, the pharmacists, accepted the prescription by phone and it was in error, it was their responsibility. He stressed that it came about from an inquiry and not a problem.

Chairman Wilson closed the public hearing on SB 95.

Chairman Wilson reopened the public hearing on Senate Bills Number 10 and 29.

Harvey Whittemore, representing the Democratic Party, stated that "the Democratic Party", on May 7, 1978, adopted as part of its state platform the following plank: "The Nevada State Democratic Party realizes that a commitment of time and resources is necessary to accomplish goals in the area of urgent human needs and because the Nevada State Democratic Party esteems its aging citizens, we strongly urge that the Nevada Legislature amend a law which restricts optometrists from practicing on commercial premises in order to reduce the cost of eyeglasses." Senate Bills 10 and 29 would repeal two provisions of NRS 636.300 that have contributed to the high cost of eye care in Nevada. These two anti-consumer provisions make it unethical for a Nevada optometrist to 1, advertise or 2, practice on commercial premises such as having an office in a separate section of a department store. The Nevada State Democratic Party contends that there should be no dispute over the elimination of the prohibition against advertising by optometrists in light of the FTC ruling of May 24, 1978. I believe that this effectively preempts any state advertising restrictions and I have a copy of the FTC press release" (see Exhibit "F"). "It is important to note that statutory restrictions against advertising in any manner that will tend to deceive, defraud or mislead will remain in NRS 636.300." Repeal of the provision against practice on commercial premises will allow licensed Nevada optometrists to lease or sublease space in department stores for an optometric office. They would be required to be fully enclosed and separated from the rest of the department store. Such an office would not differ from an optometrist's office at any other location except that it would be more convenient for patients and that the optometrist would have the advantage of exposure of heavy consumer traffic. I think that it should have a wide range of support from the members of this Committee. I think it's a bill which Republicans and Democrats alike should be able to support. I think that Republicans could support it because I think its removing restrictions against trade and its pro-competition. I think again Democrats and individuals who are pro-consumer should support it because I think that it would reduce the cost of eye care. I'm in agreement with the individuals who have given prior testimony that 93 percent of our senior citizens wear glasses and they're the ones who are hardest hit by this high cost of eye care. I think that, again, this is something that is a fairly innocuous matter. It's something that has to be done. Section 10 should be removed because of the FTC ruling but I think Section 11 should also be eliminated because I think that basically it is in restraint of trade and I think it would also have the effect of reducing eye care."

Bob Bateson, President AFL-CIO Local No. 94-13, stated that he wears safety glasses for work that are supplied by his company. He stated that the quality of these free glasses is not always the best but that he can go to Sacramento under the UPOC and get an eye examination free and the glasses are 30 or 40 percent off. However, he stated, that he has to lose a day's work. Mr. Bateson stated that he supports Senate Bills Numbers 10 and 29 because prices would go down and he'd not have to travel out of state.

(Committee Minutes)

Gerald Prinderville representing the American Association of Retired Persons, stated that he supports Senate Bills Numbers 10 and 29. Mr. Prinderville said that a recent report by the FTC revealed that there seems to be no direct correlation between the prices that people pay and the quality of glasses that they get because only a handful of suppliers produce most of the lenses in the United States. He stated that the President of the American Association of Ophthalmologists says that patients ought to be given their prescriptions without charge so that they could comparison-shop. Mr. Prinderville stated that patients in Mississippi who don't get copies of their prescriptions, pay 25 percent more than people in New York who do get copies. He stated that the American Association of Retired Persons had discovered that people who shop for glasses in states where advertising is permitted, pay an average of 18 percent less than in those in non-advertising states. He stated that the United States National Center for Health Statistics discovered that over 88 percent of the people who are forty-five or older wear corrective lenses and those people need a new pair about every five years. (see Exhibit "G").

Claude Evans, Secretary Treasurer of the AFL-CIO, stated that this is good legislation and that his organization supports it. Mr. Evans said that people are neglecting eye care because of high prices and if the prices lowered, people would not be going out of state.

Ben Knowles, representing the American Federation of Teachers, stated that his organization supports Senate Bills Numbers 10 and 20 and presented a prepared statement for the record (see Exhibit "H").

Senator Hernstadt asked Mr. Knowles about a 3 to 6 week wait that indigent and seniors would have for free care. Mr. Knowles replied that he hasn't even found anyone who qualifies for it.

Franklin D. Rozak, Vice President for Public Affairs, National Association of Optometrists and Opticians, Incorporated and Cole-National, Cleveland, Ohio referred to Senator Young's question as to whether Senate Bills Numbers 10 and 29 are constitutional. He stated that in the 1950's, the Supreme Court indicated that a legislature could adopt whatever rules and regulations it saw fit under the police power of that state. Mr. Rozak stated that his company employs optometrists in 12 states and has never had one lose his license for improper conduct. He stated that the Colorado Supreme Court in 1972, found that "there is no evidence that there is, in a rental relationship between an optometrist and a commercial or mercantile establishment, any inherent evil or a propensity to violate the statutorily proscribed conduct of an optometrist, or that the conduct of the practice on such premises affects, in any manner, the public health, safety and welfare. No evidence has ever been submitted that would confirm that the quality of services rendered in optometry is related to the location wherein the services were performed." Mr. Rozak stated that the same

conclusions were reached in Washing in 1977, by the Board of Optometry. He stated that since no optometrist has every practiced in a department store in Nevada, there is no actual basis to argue over the quality of eye examinations performed within Nevada mercantile establishments. Mr. Rozak also stated that it has been found that there is a direct relationship between the frequency of eye examinations and the cost, and that people in need of eye care are not inclined to seek it when the prices are too high and optometric services are inaccessible. In summation, Mr. Rozak stated that these restrictions stifle competition, diminish the impetus for all sellers or providers of eye glasses and optometric services to be price and quality competitive, prevents many consumers from purchasing necessary health care items and cause consumers to pay artificially high prices.

Senator Ashworth asked how a company such as Cole-National's hiring of optometrists is going to affect the cost.

Mr. Rozak explained that his company dictates the price and it is lower than in private practice. He stated that there are two separate leases; one is for the rent of the premises, the other is his company's lease to the optometrist, and the dispensing operation belongs to his company.

Senator Blakemore asked why 23 states do this and 27 don't.

Mr. Rozak stated that after World War II, chain optical units became popular in the Midwest. The optometrists started legislation to prohibit this practice and were very successful.

There was discussion about people traveling out-of-state for less expensive eye care.

Mr. Rozak stated that firms such as Sears, Roebuck have high standards and those standards would be expected from the optometrists.

Herb Jesse Sandorff, representing the American Association of Retired People, Reno, stated that he was involved with similar legislation involving engineers a few years ago and the same fears of standards dropping were an issue. Dr. Sandorff stated that those fears were unfounded.

Dr. William E. Kanellos, a practicing optometrist, Reno, who has served as President of the Nevada State Optometric Association and many other optometric committees, and is now on the Executive Committee of the American Optometric Association, stated that the merits of this legislation are now in round three. Dr. Kanellos stated that this is the third try at this type of legislation. He said that optometrists, working in commercial offices, have testified to the FTC that they perform more than four to five examinations an hour, while he performs seven or eight a day. Dr. Kanellos presented a chart comparing commercial to private optometric practice (see Exhibit "I").

Dr. Kanellos stated that this bill is not pointed at advertising, which optometrists are now allowed to do. He stated that the optometric profession does not belong in the market place.

Senator Young asked Dr. Kanellos to explain his objections to optometrists practicing in a commercial location.

Dr. Kanellos stated that it would be unprofessional.

Dr. Jim Mitchell, an optometrist located at 1649-1/2 Garden Way, Sacramento, California, and 900 Dana Drive, Redding, California, stated that optometrists are in direct competition with Cole-National whose fees are 20 percent more and whose volume is 30 to 40 percent lower. Dr. Mitchell stated that he has worked as an optometrist commercially and has been fired three times for refusing to submit to pressure to get out volume rather than quality. He stated that the optometrists who practice commercially can succeed when they might not have succeeded in private practice. He stated that to his knowledge no one had ever lost his license because of misconduct. He also stated that he knew of five or six people who had been released by their employers for not getting out the volume.

Dr. William L. Thomason, Executive Secretary of the Nevada Dental Association stated that he opposes Senate Bills 10 and 29. He stated that the Association encourages dentists to advertise.

Myrna Spaulding, the consumer member of the Nevada State Board of Optometry stated that she is opposed to Senate Bills Numbers 10 and 29 because she thinks that the public would not be benefited by them. Ms. Spaulding stated that cost of overhead and lease expenses would be passed on to the consumer. She also stated that the quality of work would suffer because of the volume. She stated that the idea of Cole-National having authority over optometrists is wrong.

Senator Young asked Ms. Spaulding's objections would be satisfied if an independent contractor rented space in a commercial establishment but had no other obligation to that establishment.

Ms. Spaulding stated that she was afraid that the party holding the lease could put pressure on the contractor.

Senator Hernstadt asked Ms. Spaulding how a patient could be damaged by a less expensive examination if he were being examined by an optometrist who had been licensed by a board.

Ms. Spaulding stated that the patient would not know if he was receiving quality care and that the haste of the examination would result in poor quality care. Senator McCorkle stated that there should be an arm's-length relationship between the contractor and the mercantile establishment that would prohibit percentage leases or other things to encourage influence on the profession.

Mervin Flander, Chief of the Bureau of Services to the Blind, stated that consumers get what they pay for and that whenever a great amount of volume is involved, the quality of the service suffers.

Senator Hernstadt asked Mr. Flander if he felt that it is more dangerous to not be able to afford \$40 and have no test or to spend \$9 for a test.

Mr. Flander stated that the examination must be a good one no matter what the cost. He also stated that there is a low-vision clinic in Las Vegas that is very well equipped and available to the senior citizens who cannot afford eye care and that it provides the glasses. Mr. Flander stated, however, that there is a three to six week waiting period.

Dr. William Van Patten, optometrist from Carson City, President of the Nevada State Optometric Association, stated that, speaking on behalf of the optometrists in the State of Nevada, they are unanimously opposed to Senate Bills 10 and 29, and asked to make three points as follows: "First, the FTC, in 1978, removed public and private restraints on advertising so that is no longer an issue; second, there is no prohibition against a consumer having his eye glass prescription filled at any optical outlet, commercial or otherwise, in the State of Nevada. We are only opposed to the placing of the professional service rendered by the doctor in the commercial mercantile environment; and third, the crux of the problem: Is a public interest best served by rendering a professional service as valuable as eye care in a commercial or mercantile environment? The answer is an emphatic absolut "No." This question, again, appears to be out of the hands of the optometrists. The American Optometry Association is cooperating with the FTC in an investigation. It is making Eye Care, Phase II. This investigation covers the following five points. 1, the corporate practice of optometry; 2, branch of multiple optometric offices regardless of where they may be under the same control; 3, the use of an assumed name in the practice of optometry; 4, duplication of spectacle lenses without a written restriction; 5, SB 172 "Opticians Fitting or Working with Contact Lenses." Dr. Van Patten stated that in view of this investigation, no legislative action should be taken in these areas until the end result of the FTC's investigation are produced.

Senator Hernstadt asked Dr. Van Patten if selling eye glasses doesn't get in the way of his practicing optometry.

Dr. Van Patten stated that he does not display frames, advertise or try to sell two, three or four pair of glasses.

Dr. Marvin Sedway, Optometrist, Las Vegas, Nevada, stated that he has been practicing optometry in Nevada for twenty-five years and has been a member of the State Board of Examiners of Optometry for nine years and its secretary for eight years. Dr.

Sedway stated that the mercantile practice of any profession which is licensed by the State and which is designated as a profession would suffer. He stated that two years ago he presented the results of a study made by the San Francisco Consumer's Advocate's, funded by the FTC, led to the following: "A Discovery of Corporate Incentive Plans." In all but one of the independant practices or outlets which were controlled by corporations, the question of professional offices was met with indignation. The story was quite different with regard to responses from employees of the corporate outfit. From them we learned about the widespread existance of corporate incentive plans in the Phoenix area. (What happened was that they compared California, which at that time had restrictions on this type of advertising compared to the State of Arizona, which did not have restrictions.) Workers in other chains claimed that, in addition to their salaries, the following amounts were to be received every time they made the sale of the items noted below: Hard Contact Lenses, \$7 premium; Insurance Policy on above, \$1 premium; Soft Contact Lenses, \$5 premium; Glasses over \$100, \$1 premium; 2 Pair of Glasses, if under \$100, \$1 premium; 2 Pair of Glasses, if over \$100, a \$2 premium. In addition to the above, the top fifteen people in the whole organization in Phoenix in average sales got special bonuses." Dr. Sedway stated that the main concern is the protection of the poeple of the State of Nevada, and that the mercantile practice of any profession would suffer because of the dictates of someone with a monetary interest in the practice of that profession. He also clarified that optometrists, ophthalmologists and opticians all may dispense prescriptions. Dr. Sedway stated that there are men in California who have had their licenses revoked and Dr. Bernhard Thall, Berkeley, California, past President of the California Board and Dr. Will Kelly, Oakland, California, President of the California State Board of Optometry can supply information about people who have had licenses revoked.

Dr. Sedway stated that in his nine years in Nevada, no licenses have been revoked by the State Board of Optometry.

Dr. Tom Davis stated that he concurs with Dr. Sedway's testimony and that he is against Senate Bills 10 and 29.

SB 60 Prohibits public utilities from cutting off certain services to elderly in winter.

Senator Neal stated that this bill states that power cannot be turned off between the months of November and March in the homes of persons 62 years and older for lack of ability to pay.

There was discussion as to whom the bill would provide for, and who, in the end, would pay for the power. Senator Neal stated that there have been no known cases of injury or death in Nevada as a result of turning off power.

Senator Wilbur Faiss, co-introducer of SB 60 stated that he isn't aware of any injury of death, but there were people, possibly new in town, who did not have the \$60 fee to turn on the power. He stated that he approached Welfare and they don't have funds for this. However, he talked to the power company and they took care of it.

William C. Branch, Treasurer of Sierra Pacific Power Company, stated that SB 60 implies that there is a problem in Nevada, but that to his knowledge, there is none.

He stated that the bill is discriminatory in that it specifies 62 year old people.

Mr. Branch presented testimony opposing SB 60 which included information about the National Energy Plan that the Federal Government instituted in 1978 and which will be enacted in 1980, which provides for protection of the kind mentioned in this bill (see Exhibit "J").

Senator Hernstadt asked Mr. Branch who pays now and who he thinks should pay.

Mr. Branch answered that now the rate payers pay but that he thinks that Welfare should.

Dale Harmer, representing Nevada Power Company, Las Vegas, stated that he opposes SB 60 and presented a letter that his company sent out to senior citizens (see Exhibit "K").

Clark Guild, Jr., representing Southwest Gas Corporation, concurred with Mr. Harmer and presented material that represents his company's policy (see Exhibit "L").

Heber Hardy, Chairman, Public Service Commission, stated that he does not oppose the bill but that his department has always had the best cooperation from the power companies in cases of not turning off power. The Commission has jurisdiction over this and will be considering some regulation. Mr. Hardy hoped that legislation could be delayed until that time. Mr. Hardy stated in response to Senator Hernstadt's question, that he does not believe that rate payers should pay for this service but that it should come out of some public funds.

Chairman Wilson closed the public hearing on SB 60.

SB 94 Prohibits licensing board from specifying day of week for closure of barbershops.

Senator Hernstadt, the introducer, stated barbers are in unfair competition with beauty shops because beauty shops can be opened whenever they want.

Chairman Wilson reopened the public hearing on SB 95.

George Bennett, representing the Nevada State Board of Pharmacy, presented a proposed amendment of SB 95 (see Exhibit "M"). Mr. Bennett also submitted the following information on the different schedules of drugs: "Schedule I and Schedule II drugs should be excluded from oral authorization. Note: Schedule I drugs include LSD, Heroin, Marijuana, etc., not in legitimate use. Schedule II drugs include Morphine, Demerol, Nembutal, Seconal, Amphetamines, etc., the D.E.A. regulations prohibit oral prescription for Schedule III, IV and V drugs. Schedule III includes Empirim Compound with Codeine, Phenaphren with Codeine, etc. Schedule IV drugs include, Dalmane, Doriden, Phenobarbitol, Valium, Librium, Equanil, etc. Schedule V drugs include Cheracol, Terpin Hydrate with Codeine, Lomotil, Parepectolin, etc. 'Dangerous Drugs' include all other prescription drugs as per NRS 454.201 such as Thyroid, Digoxin, Zylprim, etc.

There was discussion about who would be the designated agent. The physician would determine the agent and submit the letter, referred to in Mr. Bennett's proposed amendment, to the Secretary of the State Board of Pharmacy, updating it monthly.

Senator Wilson closed the public hearing.

SB 93 Georgia Massey, Associate Actuary, Nevada Insurance Division, stated that the Insurance Division can regulate SB 93 and will support it as proposed.

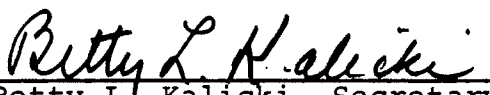
Garry Rubinstein, Executive Director, Operation Bridge Youth Counseling Center, concurred with Ms. Massey's testimony.

Richard Ham, Chief of the Bureau of Alcohol and Drug Abuse, Nevada, stated that he supports SB 93. Mr. Ham stressed that the bill is only providing a minimum coverage and eliminating the maximum.

Pat Bates, State Coordinator of the Bureau of Alcohol and Drug Abuse, clarified that the amount of treatment cost would apply to treatment out of hospitals as well as in them.

There being no further business, the meeting was adjourned at 5:30 p.m.

RESPECTFULLY SUBMITTED,


Betty L. Kalicki, Secretary

APPROVED:

Thomas R. C. Wilson, Chairman (Committee Minutes)

SENATE Commerce and Labor COMMITTEE

GUEST LIST

DATE: Feb. 5, 1979

NAME	AGENCY OR ORGANIZATION
HARVEY WHITTEMORE	STATE DEMOCRATIC PARTY
Senado [unclear]	Amer. Assoc. Retired Persons
Ben K... [unclear]	Amer. FED. OF TEACHERS
Willie C Branch	SIERRA PACIFIC POWER CO
J. Mychal Kozak	NAAD
Cass Harner	Acanda Power
CLARK Guild, Jr	Southwest GAS
Marion Miller	Southwest Gas
M. J. Thomas, MD	Kerala Dental Association
Cliff J. Young	Student intern
John [unclear]	Dir. for Ag. Ser.
Jack [unclear]	Bureau of Alcohol & Drugs
Gary Rubenstein	Operation Bida
W. A. [unclear]	N.A.A.
John [unclear]	S + L
Rick [unclear]	S + L
Charles [unclear]	AFL-CIO
[unclear]	CWA
Robert [unclear]	CWA
E. S. Newton	N.S.A.

Read what the F.T.C.* EXHIBIT A says about eyeglass prices.

1 "... Prices for lenses, frames, or complete eyeglasses vary as much as 100 percent to 300 percent from seller to seller."

2 "... the lowest priced sellers used the same source of lenses as the high-priced sellers."

3 "... the quality of eye examination—in terms of the accuracy of the prescriptions rendered and the number and kinds of tests

conducted—was independent of the prices charged for those examinations..."

4 "... prices of eye care goods and services are not positively related to their quality."

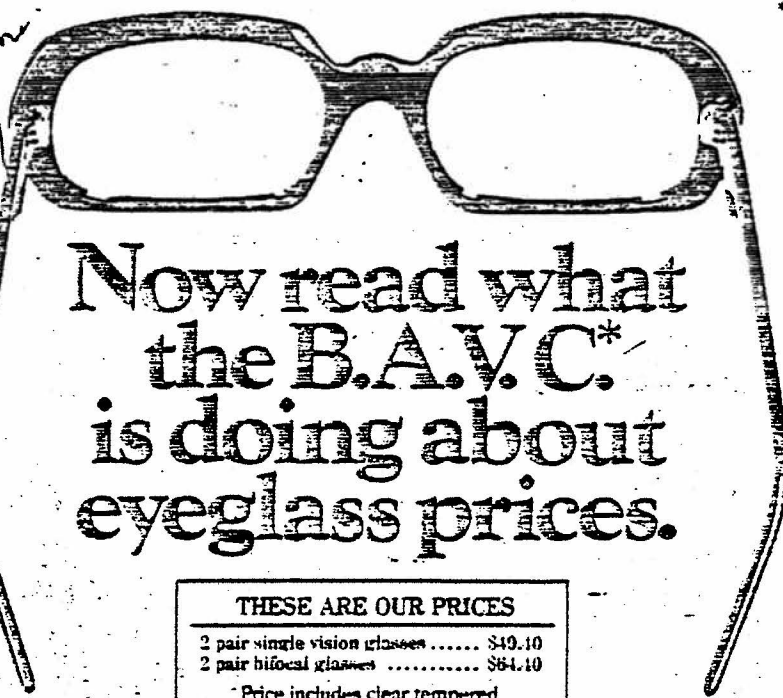
5 "... consumers are not aware of the range of price alternatives."

6 "... advertising helps the consumer to assess product differences and make a rational purchase decision."

*The Federal Trade Commission (Federal Register, Vol. 12, No. 107—June 2, 1976)

*S.F. Chron
11/17/79*

*Think you
would like to see
Chas. Phillips*



Now read what the B.A.V.C.* is doing about eyeglass prices.

THESE ARE OUR PRICES

- 2 pair single vision glasses \$49.10
- 2 pair bifocal glasses \$64.10

Price includes clear tempered standard or oversize glass lenses, your choice of two different frame styles from a large selection of quality plastic and wire frames, professional fitting and two cases. Special features such as designer/mod-type frames, tints, plastic, trifocal and extra-high-power lenses are priced at moderate additional cost.

Should you desire only one pair, our basic price is \$28.00 for single vision glasses, and \$36.00 for bifocal glasses.

- 2 pair hard contact lenses \$129.00
 - 1 pair Flex contact lenses \$119.00
 - 1 pair B & L soft contacts \$199.00
- (All prices include 6 months care.)

Our same low prices apply when called upon to fill prescriptions from other doctors - and also when duplicating your lenses if your prescription is lost or unavailable. Satisfaction is guaranteed.

More than half a million people have discovered and enjoyed the outstanding service, quality and savings provided by BAVC Plan 14-G \$2.00 family membership.

It's enlightening to compare prices. The F.T.C. study also revealed "... a wide range of prices existed within many jurisdictions for comparable prescription eyewear." Consequently, we engaged an independent research group to obtain price quotations randomly from optometrists in the Bay Area. The quotes are for single vision glasses of like quality and prescription nature, but do not include the examination cost which generally ranged from \$20 to \$40. (Our professional examination cost is \$12.)

- 2 charged from \$30 to \$30
- 7 charged from \$10 to \$49
- 12 charged from \$50 to \$59
- 11 charged from \$60 to \$69
- 3 charged from \$70 to \$79
- 1 charged at over \$99
- 2 refused to quote a price.

It is evident, from both the F.T.C. report and our own independent research, that many customers are paying far more than they need to for their vision care.

The BAVC objective is to provide professional quality vision care at greatly reduced cost. We buy thousands of lenses and frames sizeable discounts and make your glasses our own complete laboratory facility. This achieves major savings not obtainable in lesser equipped offices. Significantly, these production efficiencies are what enables us to bring substantial savings benefits to you. We enjoy the satisfaction of a pair of a spare—and save! Oddly, although not generally recognized at the time of purchase, most people buy two pair of glasses because: 1. A second pair is a necessity when one pair is misplaced or lost; and 2. the second pair provides the pleasant opportunity for a change of pace and appearance when desired. There is no mystery or hidden catch in our offer. The simple fact is that a second pair of glasses costs much less when made at the same time that the original prescription is being filled.

Please come to our nearest office—or phone for appointment/information. All major credit cards accepted.

*BAY AREA VISION CENTERS

- | | | | |
|---|--|--|---|
| <p>SAN FRANCISCO
William Ruegg - Optometrist
Phone 391-2129
Bryant Street</p> | <p>SAN LEANDRO
Dr. William Ruegg - Optometrist
Phone 638-0919
162 E. 14th Street</p> | <p>SANTA CLARA
Dr. William Adams - Optometrist
Phone 211-0000
1400 Stevens Creek Blvd.</p> | <p>SACRAMENTO (Carmichael)
Dr. Loren Ames - Optometrist
Phone 981-1526
2011 Fair Oaks Blvd.</p> |
|---|--|--|---|

MAURICE D. PEARLMAN, M. D.

Eye Physician and Surgeon
2300 SOUTH RANCHO DRIVE
LAS VEGAS, NEVADA 89102

Telephone 384-1676

January 30, 1979

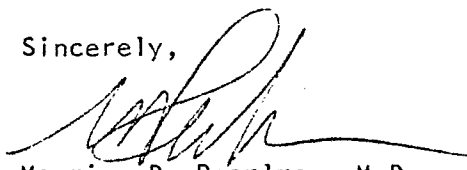
Senator William Hernstadt
Legislative Building
Carson City, Nevada

Dear Senator Hernstadt:

It was good of you to discuss with me by phone the matter of pending legislation allowing optometric practice in commercial establishments.

As president of the Las Vegas Ophthalmological Society, I would welcome the opportunity to appear before the appropriate committee and to testify in support of this measure. I agree with you that we need an increase in the competitive atmosphere in the merchandising of optical goods whereby prices could come down to reasonable levels.

Sincerely,



Maurice D. Pearlman, M.D.
President, Las Vegas Ophthalmological Society

MDP/cs

The cost of glasses

Why would you pay \$30 for a pair of eyeglass frames in one store when you could get the identical frames for \$7 in another store nearby? Probably because you didn't know any better. On that assumption, the Federal Trade Commission has ruled that states can no longer prohibit advertising of ophthalmic goods and services. The FTC also now requires that you be given a prescrip-



A frame for all prices

tion after any eye exam so you can shop around easily. Here is some of the evidence that swayed the FTC:

► In San Francisco, researchers found that hard contact lenses (including the exam, fitting and the lenses themselves) varied from \$120 to \$337. Soft lenses ranged from \$220 to \$358.

► In Boston, optometrists' fees for an eye exam and glaucoma test ranged from \$12 to \$26.

A few weeks ago, as the FTC was ruling, one Columbus, Ohio store was selling the Oscar de la Renta frames pictured above for \$45, another store nearby for \$81.50.

Once unfettered advertising by optometrists and opticians is allowed, the FTC believes, much of the gouging will disappear and prices will begin to decline. Among the research supporting that notion is a study by Lee Benham,

an economics professor at Washington University in St. Louis. He found that the average price of glasses was 25% higher in states that restricted advertising than in those that didn't.

GRAY PANTHERS

EXHIBIT B

B

AND YOUTH IN ACTION



SOUTHERN NEVADA NETWORK

Telephone 385-2550

919 West Bonanza Road Las Vegas Nevada

Zip Code 89106

January 25, 1979

Senator Bill Hernstadt
3111 Bel Air Drive - 25G
Las Vegas, Nevada 89109

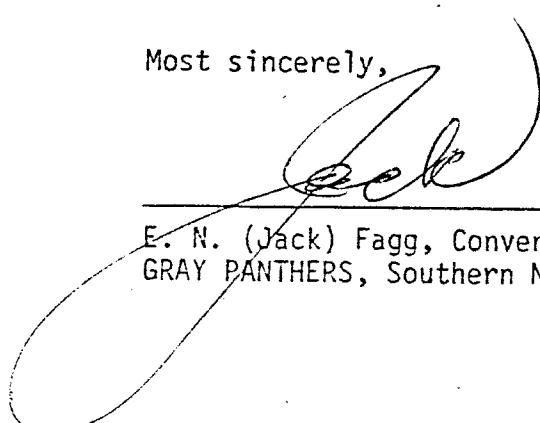
Dear Bill:

We respectfully request your action on the following bills:

- Senate Bill 28 - to allow banks to open for business on Saturday as an option. We believe this to be in the interest of the people and recommend support of this bill.
- Senate Bill 29 - Senator Hernstadt would permit optometrists to open in shopping centers and advertise prices. We sincerely urge your support of this bill.
- AB 138 - Open Meeting Law change to notice of three (3) calendar days as opposed to the present three (3) working days. We are very much opposed to this bill or any other bill that would weaken our present Open Meeting Law.

Keep up the good work. We have faith in and are depending on you.

Most sincerely,


E. N. (Jack) Fagg, Convener
GRAY PANTHERS, Southern Nevada Network

ENF/b



NEVADA PHARMACISTS GUILD

4712 Heidi Circle
LAS VEGAS, NEVADA 89102

February 4, 1979

Senator Thomas Wilson
Room 205F
Nevada State Legislature
Carson City, Nevada

Senator Wilson:

I regret that I will be unable to attend the Commerce and Labor Committee hearing concerning S.B. 95 concerning the use of agents to transmit orders from the prescriber to the pharmacist. However, I do wish to inform you of the views of many pharmacists concerning the present law which we are currently operating under and the new provisions of this bill.

Until November of 1978, it was the community practice to allow any agent within the office to call in orders from the prescriber. It was not uncommon to have offices call in all forms of prescriptions, including unauthorized prescriptions for the office personnel. Many times the physician or prescriber was not even in the office and was never aware of the practice unless confronted by the pharmacist. It was not uncommon to have the receptionist, the nurse, the answering service, the prescriber's spouse, or some other individual call to order prescription drugs.

Upon receipt of the ruling from the Attorney General, indicating the necessity to conform to the standing laws respecting telephone orders from prescribers, many of these problems resolved and in most cases the prescriber preferred the patient to return to the office. In addition, the number of false prescriptions from outside sources decreased. It became much easier to detect fraudulent calls and although the practice has not entirely been curbed, has become more manageable. One further point is that if the prescription had been given incorrectly by the office personnel and filled incorrectly based on that information, the pharmacist is held liable under any litigation arising from that prescription. Further, any liability protection would be cancelled as this act is contrary to the laws of the State of Nevada.

Should this committee desire to enact the provisions as outlined in S.B. 95 I would ask that you take a moment to consider the following aspects:

1. The Federal Statutes require that a prescriber registered to prescribe Controlled Substances must either write a prescription or communicate the same

to the pharmacist, as an orally prescribed prescription. The pharmacist must immediately reduce the same to writing in accordance with specific requirements. These statutes do not grant authority to any agent in place of the prescriber.

2. Within the S.B. 95 provisions, no statement is included to determine who the authorized agent should be nor any method for reporting the same to the Board of Pharmacy. If an agent is to be appointed by the prescriber, then that person should be made known to the pharmacies of the state so that anyone other than that person would be unable to perform this function.

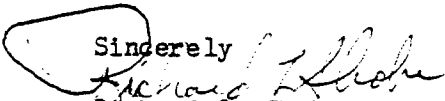
3. If an agent is to be appointed by the prescriber, would this also include Physician's Assistants who are presently precluded from such act by regulations adopted by the State Board of Pharmacy and the Board of Medical Examiners.

4. If authorized agents are permitted by this legislation, it will again allow for outsiders to gain the information necessary to call in their own prescriptions. It would not be difficult for those desiring to commit illegal acts of fraudulent phone prescriptions to gain the needed information of who the authorized agent in the office would be for the purpose of calling in prescriptions.

5. While there will always be a minority of prescribers who object to calling in their own prescriptions and thus make it difficult on their patients to obtain new prescriptions or new refill orders (renewal on outdated prescriptions), a majority have conformed to this type of ruling and in many cases find it easier to provide for their patients. From a pharmacy standpoint, the direct communication allows for a more complete order and one in which we can be confident errors are less likely. Further, direct communication allows the pharmacist to seek out any information which may be pertinent to the filling of the prescription order. Problems arising out of phone prescriptions generally include errors and omissions, incomplete directions, wrong drug strength, and others.

From the provisions outlined in S.B. 95, I would recommend that the committee not act on this bill at this time. There are many ramifications of this bill which may not be in the best interest of the public welfare. If I can be of any further assistance to you in this matter please feel free to contact me. My home address is the same as the Guild's address and my phone is 873-3211 or my work phone is 384-8075. I would be available any weekend to meet with you or your committee to discuss this matter.

Sincerely


Richard L. Shobe

Chairman of the Board of Directors.

NEVADA STATE MEDICAL ASSOCIATION

NEIL SWISSMAN, M.D., President
 RICHARD C. INSKIP, M.D., President-elect
 GORDON L. NITZ, M.D., Secretary-treasurer
 ROBERT L. BROWN, M.D., Immed. Past President
 LESLIE A. MOREN, M.D., AMA Delegate
 LEONARD H. RAIZIN, M.D., AMA Alternate Delegate
 RICHARD G. PUGH, CAE, Executive Director

3660 Baker Lane • Reno, Nevada 89509 • (702) 825-6788

CHAIRMAN WILSON AND MEMBERS OF THE SENATE COMMERCE COMMITTEE, THANK YOU VERY MUCH FOR THE OPPORTUNITY TO ADDRESS YOU. THE PHYSICIANS OF OUR STATE AND THE NEVADA STATE MEDICAL ASSOCIATION ARE APPRECIATIVE OF YOUR TIRELESS EFFORTS ON BEHALF OF OUR CITIZENS.

NEVADANS AND INDEED AMERICANS HAVE, RIGHTFULLY SO, BECOME INCREASINGLY CONCERNED ABOUT HEALTH CARE COSTS. THE NEVADA STATE MEDICAL ASSOCIATION SHARES THIS CONCERN. FOR 1½ YEARS NOW WE HAVE BEEN WORKING IN CONCERT WITH THE NEVADA HOSPITAL ASSOCIATION TO HELP DECREASE THE ESCALATION OF THESE COSTS. ALSO, DURING THAT SAME PERIOD OF TIME, WE HAVE HAD OUR OWN COMMISSION STUDYING WAYS TO DECREASE COSTS IN THE PRACTICE OF MEDICINE BY APPROPRIATE ALTERNATE COST EFFECTIVE METHODS OF DIAGNOSIS, THERAPY AND PRACTICE. ONE WAY IS TO INCREASE THE PRODUCTIVITY OF PHYSICIANS BY USE OF PARA-MEDICAL PERSONNEL IN THE HOSPITAL AND OFFICE SETTINGS. IN ORDER TO BECOME MORE EFFICIENT, PHYSICIANS MUST BE ABLE TO DELEGATE AUTHORITY. CERTAINLY S.B. 95 ADDRESSES THAT ISSUE. IT IS NOT ONLY ECONOMICALLY CORRECT, EXPERIENCE HAS SHOWN IT TO BE MEDICALLY SOUND. NEVADA HAS OPERATED UNDER THE PRINCIPLES OF S.B. 95 FOR MANY YEARS AND, TO MY KNOWLEDGE, WITHOUT SIGNIFICANT

-2-

PROBLEMS, UNTIL THE BOARD OF PHARMACY ABRUPTLY DECIDED TO ENFORCE A 12-YEAR-OLD STATUTE, N.R.S. CHAPTERS 639.013 AND 639.235, ON AUGUST 24, 1973.

THE NEVADA PHARMACEUTICAL ASSOCIATION SUPPORTS S.B. 95. THEY RECOGNIZE THAT THIS IS MEDICALLY APPROPRIATE.

THE PERSON SUFFERING MOST FROM THE ENFORCEMENT OF THE EXISTING STATUTE IS THE PATIENT. HE MUST EITHER BE INCONVENIENCED BY WAITING TO GET HIS PRESCRIPTION FILLED UNTIL A TIME WHEN THE PHYSICIAN CAN PERSONALLY CALL IT INTO THE PHARMACIST OR HE MUST COME TO THE PHYSICIAN'S OFFICE AND PICK UP A WRITTEN PRESCRIPTION. CERTAINLY, DURING AN EXAMINATION OF A PATIENT, THE PHYSICIAN CANNOT BE EXPECTED TO LEAVE THAT PATIENT OR INTERRUPT HIS EXAMINATION TO PHONE IN PRESCRIPTIONS.

PATIENTS RESENT THE ENFORCEMENT OF THIS STATUTE. I HAVE WITH ME PETITIONS SIGNED BY 2,000 NEVADANS ASKING FOR RELIEF FROM THAT STATUTE. THAT RELIEF IS S.B. 95.

I HOPE THAT IN YOUR DELIBERATE WISDOM YOU CAN SUPPORT THAT BILL.

FOR THE PHYSICIANS AND PATIENTS OF THE STATE OF NEVADA, I WANT TO THANK YOU.

NEIL SWISSMAN, M.D.
PRESIDENT
NEVADA STATE MEDICAL ASSOCIATION

TO MY PATIENTS

The cost of government laws and regulations affecting the practice of medicine has been increasing at a phenomenal pace in recent years. A recent action by the Nevada State Board of Pharmacy is a classic example of costly interference that directly affects you.

For many years it has been standard procedure for physicians to have their office staff call in original prescription orders to local pharmacies as a courtesy to patients. As a result of a recent legal opinion as to Nevada law expressed by the Attorney General's office, the Nevada State Pharmacy Board has prohibited all pharmacists from filling original prescriptions called in by a physician's office staff.

The Nevada State Medical Association and your physician would like your assistance in changing this law in the 1979 session of the Nevada Legislature.

If you feel that requiring your physician to take valuable time away from patient care to personally phone in prescriptions is not the most efficient use of time and may ultimately increase the costs of medical care to you,

PLEASE SIGN BELOW:

	Name		Address		
1					
2	2/5/79	<u>Washoe</u>	<u>Clark</u>	<u>Other</u>	<u>Total:</u>
3		1120	1805	427	3352
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					

FTC

NEWS

Federal Trade Commission Washington, D.C. 20580

FOR RELEASE 10:45 a.m., Wednesday, May 24, 1978

FTC ISSUES RULE ON ADVERTISING OF OPHTHALMIC GOODS AND SERVICES

The Federal Trade Commission has by unanimous vote issued a final rule removing public and private restraints on the advertising of the price and availability of prescription eyeglasses, contact lenses and eye examinations.

The rule goes into effect 30 days after publication in the Federal Register and--

- preempts most state laws which either prohibit or burden the advertising of prescription eyewear or eye examinations;
- prohibits restrictions on advertising of this type imposed by private groups such as trade associations; and
- requires that consumers be provided with copies of their prescriptions after they have had their eyes examined.

Where a state or local regulation requires that all retail advertising contain certain disclosures, its application to ophthalmic advertising will not be prevented. Across-the-board regulations of this type (e.g., a requirement that all advertisements offering a special price disclose the price normally charged) would not be preempted.

The rule also permits the states to require that advertisements affirmatively disclose whether an advertised price for eyeglasses (1) includes single vision and/or multifocal lenses, (2) refers to soft and/or hard contact lenses, (3) includes an eye examination, (4) includes all dispensing fees; and (5) includes both frames and lenses.

"Restrictions on the advertising of ophthalmic goods and services emanate from a complex web of state and private regulation of the providers of eye care: ophthalmologists, optometrists, and opticians," the Commission said. "Professional associations, through their codes of ethics, rules of practice, membership requirements, and informal pressures, reinforce existing legal restraints and often suppress advertising even where it is legally permitted."

(MORE)

E028/EYES

FEDERAL TRADE COMMISSION
WASHINGTON, D. C. 20580

OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE \$300

POSTAGE AND FEES PAID
U. S. FEDERAL TRADE COMMISSION

FIRST CLASS



If you no longer wish to receive
FTC mailings, check here _____
and return this sheet to the
address given below. If you wish
your address changed, indicate
changes on this sheet and return
to: Room 496, Federal Trade
Commission, Washington, D.C. 20580.

Exhibit 1

Finding that these advertising bans are unfair, the Commission said: "By providing the consumer information concerning product, price and performance characteristics, advertising helps the consumer to assess product differences and make a rational purchase decision. And for some groups, such as the aged, the absence of advertising imposes virtually insurmountable obstacles to effective search in the ophthalmic market.

"...The economic losses being borne by consumers as the result of advertising bans do not represent the full extent of the consumer injury associated with these restraints. Advertising bans and the attendant higher prices have resulted in a significant decrease in consumption of vision care products and services among the less affluent. The problem is perhaps greatest with respect to the elderly. Approximately 93% of those over age 65 use some form of corrective eyewear. Since many elderly consumers have relatively low income levels but need corrective eyewear much more frequently than other groups, any decline in consumption attributable to high prices is especially serious for the elderly.

"... And just as many of the elderly and poor are doing without needed eyeglasses because of high prices and lack of information and affordable alternatives, they are also doing without eye examinations. Evidence in the record indicates that more people could get eye examinations more often if prices were lower.

The Commission said that the rule's requirement that a copy of the eyeglass prescription be given to the buyer "is necessary to make the price disclosure provision fully effective. Without the right to their prescriptions, the Commission's efforts to insure maximum useful information in the market will have little effect on consumers where these practices prevail. Thus, it is the Commission's finding that...[this requirement] is justified both as a specific delineation of an unfair act or practice as well as a remedy to implement the right to advertise."

No additional fee may be charged for releasing the prescription to a consumer.

PRESS CONTACT: Office of Public Information (202) 523-3830

SENATE EYE GLASSES

My name is Gerald Prindiville. I'm representing the American Assn. of Retired Persons. This organization is respectfully requesting you members of the Nevada State Senate to take a position in favor of ~~SB 10-241~~

1. Over half the people in the United States wear glasses; and they spend more than 2 billion dollars a year on them. (U. S. Statistical Abstract for 1977, \$ 2,300,000,000). However, this also includes other appliances.
2. A recent report by the Federal Trade Commission reveals that there seems to be no direct correlation between the prices people pay, and the quality of glasses they get; for the special reason that only a handful of suppliers produce most of the lenses in the U. S. Because these companies, like Bausch & Lomb, or Corning and Schott, maintain relatively high standards, it is possible to buy almost uniformly good quality glasses regardless of price. (Good Housekeeping, Feb.1978, Pp 225-6).
3. According to the Federal Trade Commission, one reason for the high prices of glasses is that consumers cannot comparison shop. It is impossible to go shopping for glasses if the examining doctor doesn't give the patient a copy of his prescription.
4. Dr. Alphonse Cinotti, president of the American Assn. of Ophthalmology says that it is unquestionably the right of every patient to be given a copy of his prescription without charge.
5. A comparison of prices between New York and Mississippi shows that patients in Mississippi who usually cannot get copies of their prescriptions, pay an average of 25% more for glasses than consumers in New York, where patients are given their prescriptions.
6. A study conducted by the American Assn. of Retired Persons revealed that people who shopped for glasses in states where advertising was permitted, paid an average of 18% less (\$58 instead of 71) than consumers in non-advertising states.
7. According to the U. S. National Center for Health Statistics (as quoted in the Statistical Abstracts) over 88% (88.3%) of the people who are 45 or older wear corrective lenses; and the ratio increases as the age goes up. And people usually need a new pair of glasses every five years.
8. Medicare and Medicaid programs cover many health costs, but they do not cover the costs of eye glasses (or drugs, dental, or custodial care).
9. At present, the cost of a pair of glasses ordinarily ranges between \$75 to \$150. And that is an awfully high price when one considers the fact that the average social security check is less than \$250 per month; and that 15% of the elderly live below the poverty line; and 51% of elderly widows and single women live below the poverty line. (Single-\$2352, Couple \$2956). (You and Your Aging Parent, Barbara Silverstone, N.Y. Pantheon, 1975, 80-81)
10. So, that your ¹²⁹approval of SB 10-241 which will help reduce the cost of glasses will be very much appreciated by the American Assn. of Retired Persons.

Thank you very much,

Gerald Prindiville

REMARKS OF BEN KNOWLES

Senate Commerce and Labor Committee
Hearing on S.B. 10 and S.B. 29
Carson City, Nevada
Monday, February 5, 1979

EVERY SUMMER THE AMERICAN FEDERATION OF TEACHERS SENDS OUT LETTERS TO THE NEWLY HIRED TEACHERS IN THE CLARK COUNTY SCHOOL DISTRICT OFFERING TO ASSIST THEM WHEN THEY ARRIVE IN LAS VEGAS TO FIND APARTMENTS AND LIVING ACCOMODATIONS. IN THIS WAY WE GET TO KNOW MANY OF THEM BECAUSE THEY STOP BY OUR OFFICE FROM TIME TO TIME DURING THEIR FIRST SUMMER. WE SEE THEM AGAIN AT A PICNIC FOR NEW TEACHERS IN SEPTEMBER. ONE OF THE QUESTIONS WE ASK THEM IS THEIR IMPRESSIONS OF SOUTHERN NEVADA AND THE CONVERSATION USUALLY GETS AROUND TO COMPARING COSTS OF LIVING.

ONE OF THE COMMENTS BROUGHT UP REPEATEDLY IS HIGH MEDICAL COSTS...INCLUDING THE HIGH COSTS OF EYE EXAMINATIONS AND EYEGASSES.

UP TO THIS POINT I PERSONALLY WAS NOT AWARE THAT COSTS FOR EYE CARE IN NEVADA WERE ANY DIFFERENT FROM PRICES IN OTHER STATES. I KNEW PRICES HAD ~~BEEN~~^{GONE} UP HERE BUT I ATTRIBUTED THIS SOLELY TO INFLATION. BUT SINCE I, LIKE A GREAT SEGMENT OF OUR POPULATION, MUST WEAR CORRECTIVE LENSES, I CONFESS I WAS MORE THAN CASUALLY INTERESTED. ADDING TO MY INTEREST IN THE PROBLEM WERE SEVERAL PUBLISHED REPORTS ON THE PROBLEM WHICH APPEARED THIS SUMMER.

AT THIS POINT, I DECIDED TO INVESTIGATE MYSELF. ONE OF THE THINGS OUR UNION DID WAS TO TALK TO CONSUMER AND SENIOR CITIZEN GROUPS. I ALSO ATTENDED A HEARING ON THE U.N.L.V. CAMPUS CONDUCTED BY THE STATE BAODR OF OPTOMETRY. SEVERAL OTHER LABOR LEADERS WERE ALSO IN ATTENDANCE. WHEN THE BOARD ASKED FOR COMMENTS FROM THE AUDIENCE, WE ALL EXPRESSED OUR CONCERNS ABOUT HIGH COSTS OF EYE CARE IN NEVADA.

AS WE LEFT THE HEARING WE WERE FOLLOWED OUT BY A MAN WHO INTRODUCED HIMSELF AS AN OFFICER OF A LARGE OPTOMETRICAL FIRM WITH OFFICES IN ANOTHER STATE. THE GENTLEMAN SAID HE WAS GLAD CITIZENS ~~WERE~~ "WERE ARE LAST WAKING UP TO THE SITUATION IN NEVADA." BY THIS TIME, I MIGHT ADD, I, TOO, WAS CONVINCED WE HAVE A PROBLEM.

I BELIEVE I TOLD HIM I THOUGHT SOMETHING WAS WRONG WHEN A PAIR OF GLASSES AND AN EYE EXAMINATION HAD COST ^{149⁰⁰} ~~\$149.00~~. I WAS REFERRING TO THE BILL I HAD PAID A LAS VEGAS OPTOMETRIST FOR AN EXAMINATION AND THE PAIR I GLASSES I AM WEARING AT THIS HEARING. AND THESE GLASSES, GENTLEMEN, WERE PRICED BY THE OPTOMETRIST'S OFFICE AS "IN THE MIDDLE RANGE."

THE GENTLEMEN TALKING TO US ASKED TO SEE MY GLASSES. HE CALLED OUT THE MANUFACTURER'S NAME AND TOLD ME ONE OF HIS BRANCHES IN CEDAR CITY CARRIED THE IDENTICAL SAME FRAMES AND LENSES. HE TOLD US THE COSTS IN UTAH WOULD RANGE FROM \$84 TO \$88.

IT DOESN'T TAKE MUCH OF A MATHEMATICAL GENIUS TO SEE THAT MY COSTS--AND I HAVE HERE MY CANCELLED CHECK--ARE NEARLY DOUBLE WHAT THE COST IS REPORTED TO BE IN ANOTHER STATE. IT IS FURTHER CORROBORATION OF STATEMENTS WE HAVE RECEIVED FROM OUR TEACHERS, FROM SENIOR CITIZENS AND FROM CONSUMER ADVOCATES.

I CAN TELL YOU THAT TEACHERS DON'T HAVE EYEGLOSS INSURANCE LIKE MANY HOTEL EMPLOYEES. IN A TYPICAL FAMILY...SAY WITH PERHAPS TWO MEMBERS WEARING GLASSES...THE ~~YEARLY~~ ^{YEARLY} COSTS FOR EYE CARE BECOMES A MAJOR FAMILY BUDGET ITEM. AND THE PROBLEM OF HIGH COSTS RELATED TO EYE CARE DOESN'T JUST STOP WITH TEACHERS. IT CONCERNS VIRTUALLY EVERY SEGMENT OF OUR POPULATION.

IF THE LEGISLATURE IS REALLY CONCERNED WITH THE HEALTH AND WELFARE OUR OUR CITIZENS, I SUGGEST YOU TALK TO TEACHERS IN ELEMENTARY GRADES WHO HAVE STUDENTS WHO...ACCORDING TO THE SCHOOL NURSE...MAY NEED EYEGASSES. I TALKED TO ONE ABOUT THIS PROBLEM JUST LAST WEEK. SHE SAID SHE WAS CONVINCED IN MANY CASES IT WAS NOT BECAUSE THE PARENTS DIDN'T CARE, IT WAS JUST BECAUSE THEY COULD NOT AFFORD GLASSES RIGHT AWAY. THIS IS A TRAGEDY. IF A STUDENT CANNOT SEE WELL, HOW CAN HE LEARN TO READ WELL?

AT THIS POINT I EXPECT SOME MEMBER OF THE OPTOMETRIST LOBBY WILL CLAIM NEVADA HAS FREE EYECARE FOR THOSE WHO CANNOT AFFORD IT. IF YOU ARE A SENIOR CITIZEN YOU DO GET FREE CARE...IF YOU EARN LESS THAN \$328 PER MONTH. AND IF YOU'RE NOT A SENIOR CITIZEN YOU CAN ALSO GET FREE EYE CARE...IF YOU ARE IN DIRE FINANCIAL STRESS. BUT, SENATORS,

/page 3.

WHAT ABOUT THE SENIOR WHO EARNS \$400 A MONTH...OR THE FAMILY WHOSE INCOME IS ONLY SLIGHTLY HIGHER THAN DEFINED POVERTY? I SUSPECT MANY OF THEM GO WITHOUT.

THE OPPONENTS OF THIS BILL HAVE INTRODUCED SEVERAL RED-HERRING ARGUMENTS. ONE OF THEM IS THAT THE QUALITY OF EYE CARE IN NEVADA WILL SUFFER IF EYEGASSES ARE DISPENSED IN...I BELIEVE ONE OPTOMETRIST IN THE LOWER HOUSE SAID, AND I QUOTE, DIME STORES. THE BILL BEFORE YOU TODAY SENATORS DOES NOT SAY DISPENSERS OF EYE GLASSES AND EYE EXAMINATIONS WILL BE UNLICENSED. ON THE CONTRARY, THEY WILL BE LICENSED BY A STATE BOARD COMPOSED OF SOME OF THE VERY OPPONENTS OF THESE TWO TWO BILLS.

AND IF, AS THE OPPOENTS CLAIM, EYE CARE SHOULD SUFFER, IT WILL NOT BE BECAUSE GLASSES ARE DISPENSED IN A DEPARTMENT STORE, IN A SHOPPING CENTER, OR WHEREEVER...EVEN IN A DIME STORE. IT WILL BE BECAUSE THE STATE BOARD OF OPTOMETRISTS DIDN'T DO THEIR JOB...AND THAT WILL BE THE SOLE REASON.

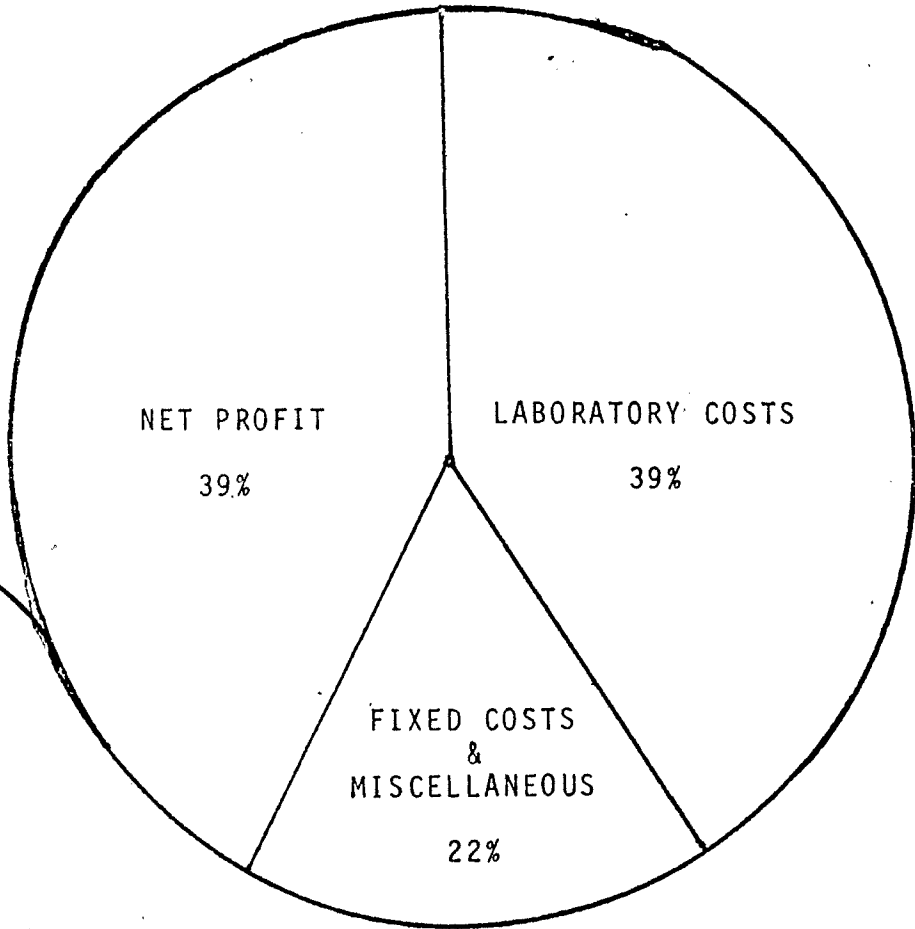
WE MIGHT LOOK AT ANOTHER REASON FOR OPPOSITION TO S.B. 10 AND S.B. 29 AND I SUSPECT IT IS THE REAL REASON. IT'S INCOME PROTECTION...FOR THE OPTOMETRISTS OF NEVADA BECAUSE IF THEY CAN CONTINUE TO LIMIT COMPETITION, THEY CAN KEEP COST--AND PROFITS--UP.

THIS IS A SIMPLE ECONOMIC FACT. YOU KNOW IT, I KNOW IT, THE CITIZENS OF NEVADA KNOW IT...AND THE OPTOMETRISTS KNOW IT. THEY HAVE NO OTHER VALID ARGUMENT.

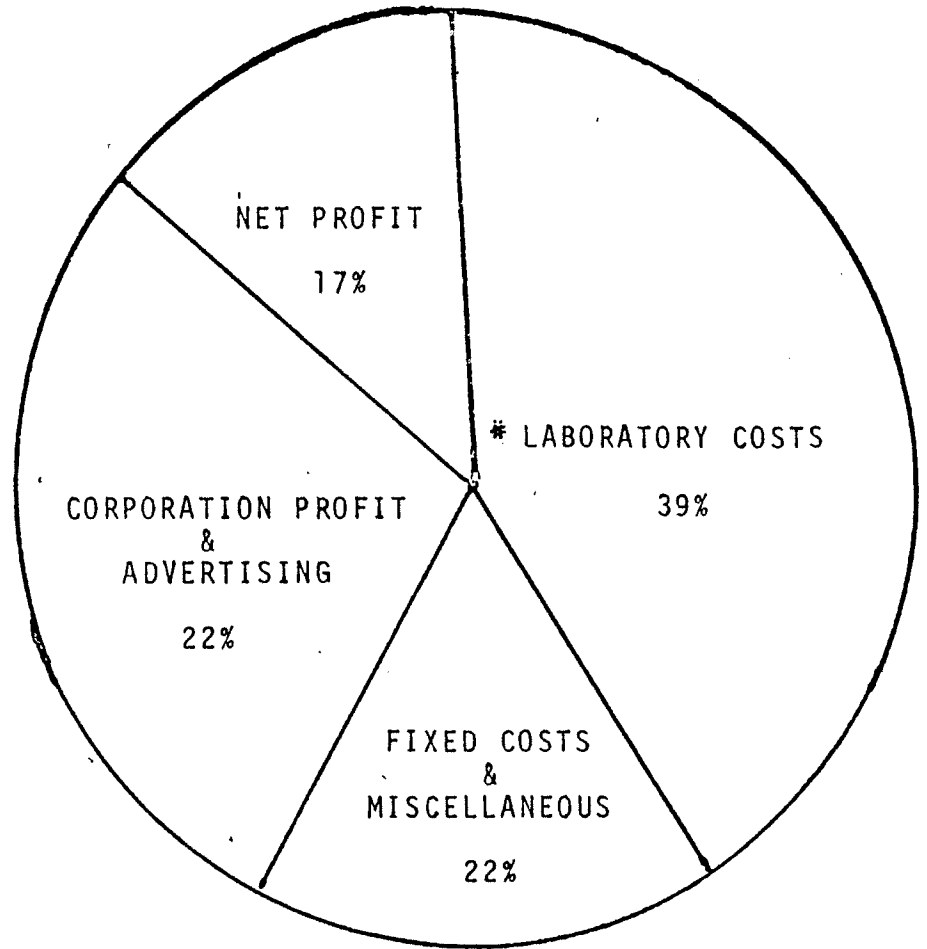
IN THE STRONGEST TERMS POSSIBLE AND ON BEHALF OF, NOT JUST TEACHERS, BUT ON BEHALF OF WORKING NEVADANS WE URGE YOUR SUPPORT AND PASSAGE OF THESE BILLS...ONE OR THE OTHER. IN SO DOING WE BELIEVE YOU WILL GREATLY LOWER THE COSTS OF EYE CARE FOR OUR CITIZENS.

FINALLY, BEFORE I CONCLUDE, I MUST EXPRESS ONE OTHER CONCERN WHICH I TRUST YOU SHARE WITH ME. SOME OF YOU MAY HAVE SEEN TELEVISION COVERAGE LAST WEEK OF THESE BILLS. IT WAS INDICATED THAT THE OPTOMETRY LOBBY HAS TOLD REPORTERS THAT THESE TWO BILLS -- AND I QUOTE -- ARE ALREADY KILLED IN COMMITTEE. IF THIS IS INDEED TRUE, THIS WHOLE HEARING BECOMES NOTHING LESS THAN A SHAM. I WOULD HOPE YOU ARE AS OFFENDED AS I AM AT SUCH A CLAIM. AS A FORMER GOVERNMENT TEACHER I HAVE ALWAYS HAD MORE FAITH IN THE GOVERNMENTAL AND LEGISLATIVE PROCESSES. IF THE LOBBYIST CLAIM IS INDEED TRUE, I HOPE I DON'T HAVE TO EXPLAIN ^{IT} TO A HIGH SCHOOL GOVERNMENT CLASS.

PRIVATE



COMMERCIAL



* THIS IS ASSUMING AND GIVING BENEFIT OF THE DOUBT THAT THE COMMERCIAL OPERATIONS WILL USE QUALITY MATERIALS.



February 5, 1979

EXHIBIT IN SUPPORT OF TESTIMONY OF WILLIAM C. BRANCH,
 TREASURER OF SIERRA PACIFIC POWER COMPANY, BEFORE THE
 SENATE COMMERCE AND LABOR COMMITTEE IN OPPOSITION TO
PROPOSED SB 60

Early in November 1978, President Carter signed into law a group of bills commonly referred to as the National Energy Plan. This legislative package consisted of five separate acts, one of which, "The Public Utility Regulatory Policies Act", contains the following requirements:

"....Sec. 113. ADOPTION OF CERTAIN STANDARDS....

- (b) ESTABLISHMENT--The following Federal Standards are hereby established:
- (4) PROCEDURES FOR TERMINATION OF ELECTRIC SERVICE--No electric utility may terminate electric service to any electric consumer except pursuant to procedures described in Section 115(g)."

"....Sec. 115. SPECIAL RULES FOR STANDARDS....

- (g) PROCEDURES FOR TERMINATION OF ELECTRIC SERVICE--The procedures for termination of service referred to in Section 113(b)(4) are procedures prescribed by the State regulatory authority (with respect to electric utilities for which it has ratemaking authority) or by the non regulated electric utility, which provide that--
 - (1) No electric service to an electric consumer may be terminated unless reasonable prior notice (including notice of rights and remedies) is given to such consumer and such consumer has a reasonable opportunity to dispute the reasons for such termination, and
 - (2) during any period when termination of service to an electric consumer would be especially dangerous to health, as determined by the State regulatory authority (with respect to an electric utility for which it has ratemaking authority) or by the non regulated electric utility, and such consumer establishes that--
 - (A) he is unable to pay for such service in accordance with the requirements of the utility's billing, or
 - (B) he is able to pay for such service but only in installments,

such service may not be terminated.



-2-

"Such procedures shall take into account the need to include reasonable provisions for elderly and handicapped consumers...."
(emphasis supplied)

Under Section 113 of this Act, the standards are required to be adopted within two years of enactment (November 1980) following public notice and hearings.

It should be pointed out that the above standards refer only to electric service; however, identical provisions relating to gas service are set forth in later sections of the Act; namely Sections 303(b)(1) and 304(a).

N E V A D A P O W E R C O M P A N Y
FOURTH STREET AND STEWART AVENUE
P.O. BOX 230 • LAS VEGAS, NEVADA • 89151

December 1, 1978

Dear Senior Citizen Customer:

Electric consumption jumps significantly in Las Vegas during winter months. For customers with electric heat, it is not unusual for usage to double or triple during this period as compared to the months of October and November. And with the rise in consumption, power bills go up.

We urge you to follow sound conservation practices around your home and thus keep your electric bills as low as possible. Most particularly, be sure of the adequacy of insulation and weather stripping. You may call for a free inspection of your home by a Nevada Power energy management specialist if you are uncertain about the adequacy of your home's insulation. The number is 385-6101.

Nevada Power is aware that higher electric bills at this time of year are burdensome for many customers, especially those on fixed incomes. If you anticipate problems in meeting your winter power bills, please contact us as soon as convenient. Our business office will be pleased to work out an arrangement with you to spread winter bills into next spring. Please telephone 385-5811 and ask for one of our Service Representatives. All arrangements can be handled on the telephone.

Sincerely,



D. Dale Harmer
Vice President
Customer Service

/hc

142

SOUTHWEST GAS CORPORATION

Las Vegas, Nevada

Nevada Gas Tariff No. 4

Original P.S.C.N. Sheet No. 146

Cancelling P.S.C.N. Sheet No. _____

RULE NO. 6

DISCONTINUANCE, RESTORATION AND REFUSAL OF SERVICE

A. Customer's Request for Discontinuance of Service

1. Unless otherwise covered by service agreement between customer and Utility, a customer may have service discontinued by giving not less than five (5) days' advance notice thereof to the Utility. Charges for service may be required to be paid until the requested date of discontinuance or such later date as will provide not less than the required five (5) days' advance notice.
2. When such advance notice is not given to the Utility, the customer may be required to pay for service until five (5) days after the Utility has knowledge that the customer has vacated the premises or otherwise discontinued gas service.

B. Discontinuance of Service by Utility

1. For Non-Payment of Bills
 - a. A customer's service may be discontinued for non-payment of a bill owing to the Utility if the bill is not paid within fifteen (15) days after presentation, provided the Utility has given the customer at least five (5) days' prior written notice of such intention.
 - b. A customer's gas service may be discontinued for non-payment of a bill for gas service furnished at a previous location if the bill is not paid within fifteen (15) days after presentation at the new location.
 - c. If a customer is receiving gas service at more than one location, service at any or all locations may be discontinued if bills for service at any one or more of these locations are not paid within fifteen (15) days after presentation. However, domestic residential service will not be discontinued because of non-payment of bills for other classes of service.
2. For Non-Compliance with Rules

In any case of violation of these rules not specifically covered herein, the Utility may discontinue service to any customer after it has given the customer at least five (5) days' written notice of such intention.

<p>Issued: June 15, 1978</p> <p>Effective: July 17, 1978</p> <p>Advice Letter No.: <u>1</u></p>	<p>Issued by</p> <p>Marvin R. Shaw</p> <p>Vice President</p>	<p>143</p>
---	--	------------

SOUTHWEST GAS CORPORATION
 Las Vegas, Nevada
 Nevada Gas Tariff No. 4

Original P.S.C.N. Sheet No. 148
 Cancelling P.S.C.N. Sheet No. _____

RULE NO. 6

DISCONTINUANCE, RESTORATION AND REFUSAL OF SERVICE
 (Continued)

B. Discontinuance of Service by Utility (Continued)

5. For Fraud (Continued)

that customer has complied with all filed Rules and reasonable requirements of the Utility and the Utility has been reimbursed for the full amount of the service rendered and the actual cost to the Utility incurred by reason of the fraudulent use.

6. For Failure to Meet Credit Requirements

If, for the convenience of an applicant, the Utility should establish gas service to an applicant before he has established his credit, the Utility shall discontinue service if the applicant fails to establish credit within ten (10) working days thereafter.

C. Restoration of Service

1. Re-establishment

When the customer has complied with all Rules pertaining to payments, deposits, safety and other requirements, the Utility will make the re-establishment as soon as conditions permit.

2. Re-establishment Charge

Where service has been discontinued for violation of these Rules or for non-payment of bills, the Utility will charge a re-establishment charge at the same rate as the service establishment charges set forth in Rule 3, Section 3 of this tariff.

Issued:

June 15, 1978

Effective:

July 17, 1978

Advice Letter No.:

1

Issued by

Marvin R. Shaw

Vice President

**SOUTHWEST GAS CORP.
OFFICE STANDARDS**

ISSUED BY Staff Office - Operations	APPROVED BY <i>[Signature]</i>	EFFECTIVE January 16, 1978
SUBJECT TURN-OFFS FOR NON-PAYMENT		<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISION SUPERSEDES: _____

TURN-OFFS FOR NON-PAYMENT

The whole idea behind shutting off a customer's service for non-payment of the bill is to avoid further loss, and pressure the customer into paying that which is owed. However, before service can ever be discontinued, certain conditions must be in effect:

- 1) The customer must have a balance forward of \$10 or more.
- 2) The customer must have received a 5-day written notice of our intention to discontinue the service, or 7 days in California. This notice only occurs if the customer is a:
 - Credit Code 1
 - Credit Code 9
 - Credit Code 2 with a violation the previous month or three violations within the previous 12-month period.

06745427

MAIL THIS CARD WITH PAYMENT



SOUTHWEST GAS CORPORATION

FOR OFFICIAL USE ONLY

PLEASE WRITE YOUR SERVICE NUMBER ON FACE OF CHECK OR MONEY ORDER.

U R G E N T N O T I C E :
YOUR GAS BILL IS PAST DUE - PAY IN PERSON AT GAS COMPANY ONLY. PAYMENT BY MAIL MAY BE CREDITED TOO LATE TO AVOID TURN-OFF. IT IS OUR INTENTION TO DISCONTINUE SERVICE FIVE (5) DAYS FROM DATE OF THIS NOTICE UNLESS WE RECEIVE PAYMENT. FOR ASSISTANCE CALL (702) 876-7151.

SOUTHWEST GAS CORPORATION
P. O. Box 15574
Las Vegas, Nevada 89150

C02	C02	C02	C02	C02
C12	C12	C12	C12	C12
C22	C22	C22	C22	C22
C32	C32	C32	C32	C32
C42	C42	C42	C42	C42
C52	C52	C52	C52	C52
C62	C62	C62	C62	C62
C72	C72	C72	C72	C72
C82	C82	C82	C82	C82
C92	C92	C92	C92	C92

CUSTOMER NAME		CUSTOMER SERVICE NUMBER				MAILING DATE		PAY THIS AMOUNT	
STEVE J RASO		02	4	1550	3	09	03	76	22 04

PRESENT ENTIRE BILL IF PAYING AT LOCAL OFFICE

SEE REVERSE SIDE FOR COMPLETE PAYMENT INFORMATION.

URGENT NOTICE

**SOUTHWEST GAS CORP.
OFFICE STANDARDS**

EXHIBIT L
INDEX NO. CK D-4
PAGE NO. 2 of 13

ISSUED BY Staff Office - Operations	APPROVED BY <i>[Signature]</i>	EFFECTIVE January 16, 1978
SUBJECT TURN-OFFS FOR NON-PAYMENT	<input checked="" type="checkbox"/> ORIGINAL SUPERSEDES: _____	<input type="checkbox"/> REVISION _____

Once the "Urgent Notice" is received by the customer, one of the following three things occur:

- 1) The customer can call for an extension and make arrangements for payment.
- 2) The customer can make payment within the 5-day limit.
- 3) The customer can let the gas be turned off. In this case, payment of the past due amount is required, a reconnection fee is charged, and any deposit amount necessary is required. (If a deposit is up on the account, but the amount is not adequate to cover either twice the highest (Arizona and Nevada) or twice the average (California), the extra needed for this coverage is required. If no deposit is currently on the account, twice the highest (Arizona and Nevada) or twice the average (California) is required).

ISSUED BY Staff Office - Operations	APPROVED BY <i>[Signature]</i> EFFECTIVE January 16, 1978
SUBJECT TURN-OFFS FOR NON-PAYMENT	<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISION SUPERSEDES: _____ _____

If no payment is received, the office clerk goes through the following steps:

- 1) 5 days after the mailing date, those with "Urgent Notices" that have still not paid are listed by the computer on copies of the temporary turn-off order (Form 904.8 - Exhibit A).

SERVICE NO	°.	CUSTOMER NAME	SERVICE ADDRESS	METER NO
02-xx-4-1550-3	x	RASO, STEVE J	1421 T-TON ST.	00373551
9/03/76	18.83	.78	19.61	22.04
BILLING DATE	GAS ARREARS	OTHER ARREARS	TOTAL ARREARS	TOTAL DUE
				DATE OF LAST PAYMENT
				DEPOSIT
				CR. N's Loc

TEMPORARY TURN-OFF FIELD CARD		_ _ _ _ TURN-OFF READING
REMARKS		_ _ _ _ TURN-OFF DATE
CUSTOMER PHONE NO.	PAYMENT ARRANGEMENTS	_ _ _ _ T-OFF BY INITIALS
DATE CONTACTED		_ _ _ _ TURN-ON DATE
		_ _ _ _ T-ON BY INITIALS
CONTROL COPY		FORM 904.8 (1/75)

EXHIBIT A

- 2) Next, the clerk checks the following places to assure that no payment has been received in the interim. If at any time during this process, the amount appears to be paid, the temporary turn-off field card is discarded.

- A) A check of the payment extension file is made to verify that no extra time has been given. The requests that have been received and granted are held in a tickler file to ensure the new date is met.

SOUTHWEST GAS CORP.
OFFICE STANDARDS

EXHIBIT L
INDEX NO. OM D-4
PAGE NO. 5 of 13

ISSUED BY Staff Office - Operations	APPROVED BY <i>[Signature]</i>	EFFECTIVE December 8, 1978
SUBJECT TURN-OFFS FOR NON-PAYMENT	<input type="checkbox"/> ORIGINAL	<input checked="" type="checkbox"/> REVISION
	SUPERSEDES: <u>Original - 1/16/78</u>	

D) A check of the most current open items must be made. In some outlying offices where, due to the mail, the open items are not received in a timely manner, it will be necessary to call CAP to have them verify whether payment has been received.

While making this last check of the open items, the 904.8, Temporary Turn-off Field Card, should be screened to find out whether the deposit is adequate.

If the deposit is not adequate, or none is on the account (see Establishment of Credit Guidelines for High Risk Customers), it will be necessary to calculate how much additional or total is needed to ensure coverage. This information should be written in on the control copy so that when payment is rendered, the cashier has all the information needed to complete the transaction. In California, the past due amount must meet or exceed the deposit amount. Those accounts where they past due amount does not meet or exceed the deposit figure may not be sent out. All control copies are held by the cashier, in cycle order. The action copies are issued to either a meter reader or service technician for shut-off. (Exhibit C).

In Las Vegas, the pink card is flagged by using a red tag.

SOUTHWEST GAS CORP.
OFFICE STANDARDS

ISSUED BY Staff Office - Operations	APPROVED BY <i>[Signature]</i>	EFFECTIVE January 16, 1976
SUBJECT TURN-OFFS FOR NON-PAYMENT		<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISION SUPERSEDES: _____ _____

Temporary Turn-Off Field Card

SERVICE NO	°f	CUSTOMER NAME	SERVICE ADDRESS	METER NO
02- xx -4-1550-3	x	RASO, STEVE J	1421 TETON ST.	00373551
9/03/76	18.83	.78	19.61	22.04
<small>BILLING DATE</small>	<small>GAS ARREARS</small>	<small>OTHER ARREARS</small>	<small>TOTAL ARREARS</small>	<small>TOTAL DUE</small>
				5/30/76
				30 1 0 2
				<small>DATE OF LAST PAYMENT</small>
				<small>DEPOSIT</small>
				<small>CR. CODE</small>
				<small>N. S. F. L. O. C.</small>



TEMPORARY TURN-OFF FIELD CARD

REMARKS _____

TURN-OFF READING

TURN-OFF DATE

T-OFF BY INITIALS

CUSTOMER PHONE NO. _____

PAYMENT ARRANGEMENTS

TURN-ON DATE

DATE CONTACTED _____

T-ON BY INITIALS

CONTROL COPY

FORM 904.8 (1/75)

Control copy held by cashier

SERVICE NO	°f	CUSTOMER NAME	SERVICE ADDRESS	METER NO
02- xx -4-1550-3	x	RASO, STEVE J	1421 TETON ST.	00373551
9/03/76	18.83	.78	19.61	22.04
<small>BILLING DATE</small>	<small>GAS ARREARS</small>	<small>OTHER ARREARS</small>	<small>TOTAL ARREARS</small>	<small>TOTAL DUE</small>
				5/30/76
				30 1 0 2
				<small>DATE OF LAST PAYMENT</small>
				<small>DEPOSIT</small>
				<small>CR. CODE</small>
				<small>N. S. F. L. O. C.</small>



TEMPORARY TURN-OFF FIELD CARD

REMARKS _____

TURN-OFF READING

TURN-OFF DATE

T-OFF BY INITIALS

CUSTOMER PHONE NO. _____

PAYMENT ARRANGEMENTS

TURN-ON DATE

DATE CONTACTED _____

T-ON BY INITIALS

ACTION COPY

FORM 904.8 (1/75)

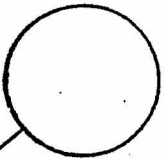
This copy is taken to the field for the non-pay turn-off

ISSUED BY Staff Office - Operations	APPROVED BY <i>[Signature]</i> EFFECTIVE January 16, 1978
SUBJECT TURN-OFFS FOR NON-PAYMENT	<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISION SUPERSEDES: _____

Depending upon the policy of your District, this representative either:

- 1) Knocks to make customer contact and issues a 24-hour notice to pay or issues a door hanger with this notice if the customer is not at home, or
- 2) Shuts off the gas and then knocks to notify the customer in person in the discontinuance of service. A door hanger is left if no one is home.

(Exhibit D).



**GAS SERVICE HAS BEEN
TURNED OFF:**

For Non-Payment
 For Return Check
 Due to No Deposit
or Application


By _____
Time _____ Date _____

For Information Call:
After 5:00 P.M.:

OR

Contact Office
Call:

SOUTHWEST GAS CORPORATION



FORM 311.3 (9/77)

EXHIBIT D

In those areas where a 24-hour notice is given, the company representative returns the following working day and discontinues service where outstanding bills are still due. If for some reason, the 48-hour turn-off cannot be completed or CGI'd, the cashier and/or clerk handling the non-pay turn-off must be notified. This order will normally be sent out the next day for another attempt.

SOUTHWEST GAS CORP.
OFFICE STANDARDS

ISSUED BY Staff Office - Operations

APPROVED BY *[Signature]*

EFFECTIVE January 16, 1978

SUBJECT

TURN-OFFS FOR NON-PAYMENT

 ORIGINAL REVISION

SUPERSEDES: _____

Completed Non-Pay Orders

The completed action copies are now taken to the cashier's tickler file, where they replace the control copies. The control copies are held by the 48 clerk for five more working days. At the end of this period, the clerk once again scans open items to see whether the past due amount has been received. If the customer has made the payment, the account is not put into closing, however, a note is made, since a reconnect fee and possibly additional deposit are still due.

Those who still show outstanding balances are placed into closing by using both copies (action and control) of the Temporary Turn-Off Field Card, 904.8, instead of a 913. (Exhibit E).

SOUTHWEST GAS CORP.
OFFICE STANDARDS

ISSUED BY Staff Office - Operations	APPROVED BY <i>[Signature]</i>	EFFECTIVE January 16, 1978
SUBJECT TURN-OFFS FOR NON-PAYMENT		<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISION SUPERSEDES: _____ _____

These examples illustrate the completed orders ready for use in closing the customer's account.

SERVICE NO	CUSTOMER NAME	SERVICE ADDRESS	METER NO
02- xxx -L-1550-3131	RISO, STEVE J	1421 TETON ST.	00373551
9/03/75	13.33	.78	1961
22.04	5/30/76	30	1 0 2
BILLING DATE	TOTAL DUES	TOTAL AMOUNTS	TOTAL DUE
DATE OF LAST PAYMENT	DEPOSIT CODE	N's	Loc

TEMPORARY TURN-OFF FIELD CARD		002825 TURN-OFF READING) Completed in the field)
<i>ANYTOWN, NV 89102</i>		9/13/76 TURN-OFF DATE	
<i>ARRIVAL time</i> <i>DEPARTURE time</i>		<i>[Signature]</i> OFF BY INITIALS	
CUSTOMER PHONE NO.	PAYMENT ARRANGEMENTS	TURN-ON DATE	
DATE CONTACTED	ACTION COPY	T-ON BY INITIALS	

Action copy ready to be filed in District Street Files

EXHIBIT E

ISSUED BY Staff Office - Operations	APPROVED BY <i>[Signature]</i>	EFFECTIVE January 16, 1978
SUBJECT TURN-OFFS FOR NON-PAYMENT		<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISION SUPERSEDES: _____ _____

SERVICE NO	Pr	CUSTOMER NAME	SERVICE ADDRESS	METER NO
02- xx -L-1550-3	X	RASO, STEVE J	1421 TETON ST	00373551
9/03/78	18.83	.78	22.04	5/30/76
BILLING DATE	GAS APREARS	OTHER APREARS	TOTAL APREARS	TOTAL DUE
				DATE OF LAST PAYMENT
				DEPOSIT
				CR N's Loc

TEMPORARY TURN-OFF FIELD CARD	1. 01021825 TURN-OFF READING
REMARKS 5. 0910 0914	2. 9/13/78 TURN-OFF DATE
CUSTOMER PHONE NO. DATE CONTACTED	3. J.S. T.OFF BY INITIALS
PAYMENT ARRANGEMENTS	TURN-ON DATE
CONTROL COPY	T.ON BY INITIALS

Control copy ready to be submitted to CAP to close this account.

EXHIBIT E

ISSUED BY Staff Office - Operations	APPROVED BY <i>[Signature]</i>	EFFECTIVE January 16, 1978
SUBJECT TURN-OFFS FOR NON-PAYMENT	<input checked="" type="checkbox"/> ORIGINAL	<input type="checkbox"/> REVISION
	SUPERSEDES: _____	

By gathering the action copy from the cashier's file and updating the control copy with the following, the 913 is not necessary:

- 1) The turn-off read
- 2) Turn-off date
- 3) Turn-off by initials (Service Technician's initials)
- 4) The mailing address, if noted in file, or the city, state and zip, if the mailing address is printed in the service address sections.
- 5) Arrival and departure times.
- 6) Note stating meter was locked and blind inserted.

**SOUTHWEST GAS CORP.
OFFICE STANDARDS**

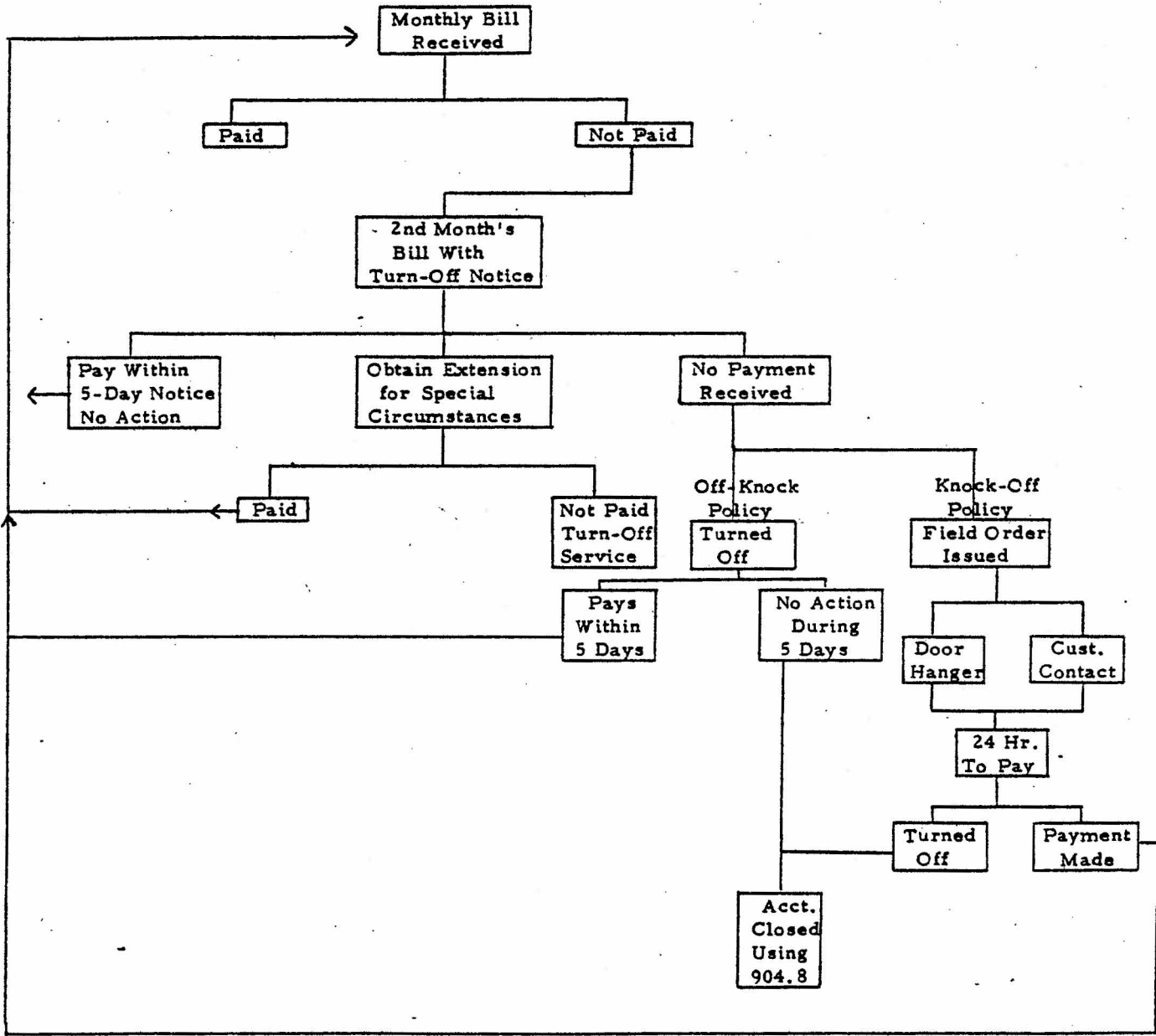
ISSUED BY Staff Office - Operations	APPROVED BY <i>[Signature]</i> EFFECTIVE January 16, 1978
SUBJECT TURN-OFFS FOR NON-PAYMENT	<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISION SUPERSEDES: _____ _____

Next, update the street file (Exhibit F) to reflect the non-pay turn-off and pull the application card and update it with the turn-off information. The control copy of the temporary turn-off is now ready to be submitted to CAP.

Street file marked to reflect the closing of the account due to non-payment.

ADDRESS					
1421 TETON ST.			02-XX-1-1550		
DATE ORDERED ON	DATE WANTED ON	NAME	DATE ORDERED OFF	DATE WANTED OFF	REMARKS
7/5	7/4/73	³ STEVE J. RASO	9/13	9/20/73	3 DS (48)
3/9	3/10/73	² STEVEN KNOWLAND	4/1	6/2/73	2 HD off jmc
1/19/73	1/21/73	¹ HAROLD WILSON	2/13	2/15/73	1 LB

ISSUED BY Staff Office - Operations	APPROVED BY <i>[Signature]</i>	EFFECTIVE January 16, 1973
SUBJECT TURN-OFFS FOR NON-PAYMENT		<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISION SUPERSEDES: _____ _____



Library Note:

During the examination of this set of minutes, Exhibit M was found to be missing. It also appears to have been missing at the time this set of minutes was hand numbered, as the numbering does not have a gap where this exhibit should be. The exhibit is also missing from the microfiche.

Research Library
July 2010

SENATE BILL NO. 10—SENATORS NEAL AND FAISS

JANUARY 16, 1979

Referred to Committee on Commerce and Labor

SUMMARY—Narrows definition of unethical conduct in profession of optometry.
(BDR 54-653)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

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

AN ACT relating to optometry; narrowing the definition of unethical conduct; 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 636.300 is hereby amended to read as follows:
2 636.300 [The] *Any of the* following acts [, or any of them, on the
3 part of] *by the licensee [, shall constitute] constitutes* unethical or
4 unprofessional conduct:
5 1. Association as an optometrist with any person, firm or corpora-
6 tion violating this chapter.
7 2. Accepting employment, directly or indirectly, from a person or
8 persons not licensed to practice optometry in this state for the purpose
9 of assisting him or them in such practice or enabling him or them to
10 engage therein.
11 3. Making a house-to-house canvass, either in person or by another
12 or other persons, for the purpose of advertising, selling or soliciting the
13 sale of eyeglasses, frames, lenses, mountings, or optometric examinations
14 or services.
15 4. Division of fees with another optometrist except for services based
16 on division of service or responsibility.
17 5. Division of fees or any understanding or arrangement with any
18 person not an optometrist.
19 6. Employing any person to solicit house-to-house for the sale of
20 eyeglasses, frames, lenses, mountings, or optometric examinations or
21 services.
22 7. Circulating or publishing, directly or indirectly, any false, fraudu-
23 lent or misleading statement as to his method of practice or skill of any
24 other licensee.

1 8. Advertising in any manner that will tend to deceive, defraud or
2 mislead the public.

3 9. Advertising, directly or indirectly, free optometric examinations
4 or services.

5 10. [Advertising, directly or indirectly, any rates or definite amount
6 or terms for optometric materials or services.

7 11.] Practicing in or on premises where any materials other than
8 those necessary to render optometric examinations or services are dis-
9 pensed to the public, or where a commercial or mercantile business is
10 being conducted not exclusively devoted to optometry or [other health
11 care professions] *another healing art* and materials or merchandise are
12 displayed having no relation to the practice of optometry or [other
13 health care professions.] *another healing art, except that the licensee*
14 *may practice as a lessee or sublessee in a mercantile establishment where*
15 *the space utilized is separated from other parts of the establishment by*
16 *solid partitions from floor to ceiling.*

SENATE BILL NO. 29—SENATOR HERNSTADT

JANUARY 17, 1979

Referred to Committee on Commerce and Labor

SUMMARY—Narrows definition of unethical or unprofessional conduct in profession of optometry. (BDR 54-192)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

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

AN ACT relating to optometry; narrowing the definition of unethical or unprofessional conduct; 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 636.300 is hereby amended to read as follows:
2 636.300 The following acts, or any of them, on the part of the
3 licensee, [shall] constitute unethical or unprofessional conduct:
4 1. Association as an optometrist with any person, firm or corpora-
5 tion violating this chapter.
6 2. [Accepting employment, directly or indirectly, from a person or
7 persons not licensed to practice optometry in this state for the purpose of
8 assisting him or them in such practice or enabling him or them to engage
9 therein.
10 3.] Making a house-to-house canvass, either in person or by another
11 or other persons, for the purpose of advertising, selling or soliciting the
12 sale of eyeglasses, frames, lenses, mountings, or optometric examinations
13 or services.
14 [4.] 3. Division of fees with another optometrist except for services
15 based on division of service or responsibility.
16 [5.] 4. Division of fees or any understanding or arrangement with
17 any person not an optometrist.
18 [6.] 5. Employing any person to solicit house-to-house for the sale
19 of eyeglasses, frames, lenses, mountings, or optometric examinations or
20 services.
21 [7.] 6. Circulating or publishing, directly or indirectly, any false,
22 fraudulent or misleading statement as to his method of practice or skill,
23 or the method of practice or skill of any other licensee.

- 1 **[8.]** 7. Advertising in any manner that will tend to deceive, defraud
2 or mislead the public.
- 3 **[9.]** 8. Advertising, directly or indirectly, free optometric examina-
4 tions or services.
- 5 **[10.]** Advertising, directly or indirectly, any rates or definite amount
6 or terms for optometric materials or services.
- 7 11. Practicing in or on premises where any materials other than
8 those necessary to render optometric examinations or services are dis-
9 pensed to the public, or where a commercial or mercantile business is
10 being conducted not exclusively devoted to optometry or other health
11 care professions and materials or merchandise are displayed having no
12 relation to the practice of optometry or other health care professions.】

SENATE BILL NO. 60—SENATORS NEAL AND FAISS

JANUARY 19, 1979

Referred to Committee on Commerce and Labor

SUMMARY—Prohibits public utilities from cutting off certain services to elderly in winter. (BDR 58-557)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

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

AN ACT relating to public utilities; prohibiting public utilities from discontinuing the provision of gas or electric service to the elderly during the winter; 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 704.040 is hereby amended to read as follows:
2 704.040 1. Every public utility is required to furnish reasonably
3 adequate service and facilities, and the charges made for any service
4 rendered or to be rendered, or for any service in connection therewith
5 or incidental thereto, [shall] *must* be just and reasonable.
6 2. Every unjust and unreasonable charge for service of public util-
7 ities is prohibited and declared to be unlawful.
8 3. *Between November 1 and May 1, a public utility which provides*
9 *the service of electric power or gas shall not discontinue either of these*
10 *services to the residence of any person who is 62 years of age or older*
11 *and who lives alone or as the head of a household for his failure to pay*
12 *for the service.*

SENATE BILL NO. 94—SENATOR HERNSTADT

JANUARY 24, 1979

Referred to Committee on Commerce and Labor

SUMMARY—Prohibits licensing board from specifying day of week for closure of barbershops. (BDR 54-185)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

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

AN ACT relating to barbers; prohibiting the licensing board from specifying a particular day of the week on which barbershops must remain closed; 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 643.200 is hereby amended to read as follows:
- 2 643.200 1. It [shall be] *is* unlawful for any barber or apprentice:
- 3 (a) Knowingly to continue the practice of barbering, or for any stu-
- 4 dent knowingly to continue as a student in any school or college of bar-
- 5 bering while such person has an infectious, contagious or communicable
- 6 disease.
- 7 (b) To use upon one patron a towel that has been used upon another
- 8 patron unless and until the towel has been relaundered.
- 9 (c) Not to provide the headrest on each chair with a relaundered towel
- 10 or a sheet of clean paper for each patron.
- 11 (d) Not to place around the patron's neck a strip of cotton, towel or
- 12 neckband so that the hair cloth does not come in contact with the neck or
- 13 skin of the patron's body.
- 14 (e) To use in the practice of barbering any styptic pencils, finger
- 15 bowls, sponges, lump alum or powder puffs. Possession of a styptic pencil,
- 16 finger bowl, sponge, lump alum or powder puff in a barbershop is *prima*
- 17 *facie* evidence that [the same] *it* is being used therein the practice of
- 18 barbering.
- 19 (f) To use on any patron any razors, scissors, tweezers, combs, rubber
- 20 discs or parts of vibrators used on another patron, unless the [same be]
- 21 *utensil* is kept in a closed compartment and immersed in boiling water or
- 22 in a solution of 2 percent carbolic acid, or its equivalent, before each such
- 23 use.

1 2. It **[shall be]** is unlawful to own, manage, control or operate any
2 barbershop unless:

3 (a) Continuously hot and cold running water be provided for, if possible.
4

5 (b) A recognized sign is displayed at the main entrance to the shop
6 indicating that it is a barbershop.

7 3. The board **[shall have power to]** *may* make other **[rules and]**
8 regulations and prescribe other sanitary requirements in addition to the
9 provisions of subsections 1 and 2 in aid or furtherance of the provisions
10 of this chapter **[.]**, *except that no regulation may require that any bar-*
11 *bershop must remain closed on any particular day of the week.*

SENATE BILL NO. 95—SENATORS FORD AND ECHOLS

JANUARY 24, 1979

Referred to Committee on Commerce and Labor

SUMMARY—Permits agent of prescriber to transmit prescription by oral order. (BDR 54-634)

FISCAL NOTE: Effect on Local Government: No. Effect on the State or on Industrial Insurance: No.

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

AN ACT relating to pharmacy; permitting an agent of a prescriber to transmit a prescription by oral order; prohibiting false personation as an authorized agent; providing a penalty; 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 639 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 and 3 of this act.
3 SEC. 2. 1. *A prescription must be given:*
4 (a) *Directly from the prescriber to a pharmacist;*
5 (b) *Indirectly by means of an order signed by the prescriber; or*
6 (c) *By an oral order transmitted by an authorized agent of the pre-*
7 *scriber.*
8 2. *A prescription must contain:*
9 (a) *The name and address of the prescriber;*
10 (b) *The classification of his license;*
11 (c) *The name and address of the patient;*
12 (d) *The name and quantity of the drug or drugs prescribed;*
13 (e) *Directions for use; and*
14 (f) *The date of issue.*
15 3. *The directions for use must be specific in that they indicate the*
16 *portion of the body to which the medication is to be applied or, if to be*
17 *taken into the body by means other than orally, the orifice or canal of*
18 *the body into which the medication is to be inserted or injected:*
19 SEC. 3 *It is unlawful for any person falsely to represent himself as an*
20 *authorized agent of a physician, dentist, podiatrist or veterinarian entitled*
21 *to write prescriptions in this state, for the purpose of transmitting to a*
22 *pharmacist an order for a prescription*

1 SEC. 4. NRS 639.013 is hereby amended to read as follows:

2 639.013 "Prescription" means an order given individually for the
3 person for whom prescribed. [, directly from the prescriber to a pharma-
4 cist or indirectly by means of an order signed by the prescriber, and shall
5 contain the name and address of the prescriber, his license classification,
6 the name and address of the patient, the name and quantity of the drug
7 or drugs prescribed, directions for use and the date of issue. Directions
8 for use shall be specific in that they shall indicate the portion of the body
9 to which the medication is to be applied or, if to be taken into the body
10 by means other than orally, the orifice or canal of the body into which the
11 medication is to be inserted or injected.] Prescription includes a chart
12 order.

13 SEC. 5. NRS 639.236 is hereby amended to read as follows:

14 639.236 1. All prescriptions filled in any pharmacy [shall] *must* be
15 serially numbered and filed in the manner prescribed by regulation of the
16 board. Prescriptions for schedule II controlled substances as defined in
17 chapter 453 of NRS, [shall] *must* be filed separately from other pre-
18 scriptions or in a readily retrievable manner as the board may provide by
19 regulation. All prescriptions [shall] *must* be retained on file for at least 2
20 years.

21 2. Each prescription on file [shall] *must* bear the date on which it
22 was originally filled [,] *and* be personally signed or initialed by the regis-
23 tered pharmacist who filled it. [and contain all of the information
24 required by NRS 639.013.]

25 3. Prescription files [shall be] *are* open to inspection by members,
26 inspectors and investigators of the board and by inspectors of the Food
27 and Drug Administration and agents of the department of law enforce-
28 ment assistance.

29 SEC. 6. This act shall become effective upon passage and approval.