

Date: April 10, 1979

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Committee in Session at 8:42 A.M. on Tuesday, April 10, 1979.

Senator Keith Ashworth in the Chair.

PRESENT: Chairman Keith Ashworth
Senator Clifton Young
Senator Rick Blakemore
Senator Wilbur Faiss
Senator Jim Kosinski

ABSENT: Vice-Chairman Neal

GUESTS: Mr. Merlin Anderson, Administrator, Nevada Commission
on Postsecondary Institutional Authorization
Mr. Tom Edwards, Chairman, Nevada Commission on
Postsecondary Institutional Authorization
Ms. Ethelda S. Thelen, Consultant, Professional
Education Resource Services of Nevada
Ms. Pat Gothberg, Nevada Nurses Association
Senator Lawrence E. Jacobsen, Capital District
Mr. Milt Fleischer, Druggist, Gardnerville, Nevada
Mr. Mervin J. Flander, Bureau Chief, Bureau of
Services to the Blind
Mr. Orvis E. Reil, Nevada Retired Teachers Association,
American Association of Retired Persons
Ms. Phyllis Zauntin, State Health Division

Chairman Ashworth opened the meeting with presentation of BDR 39-1637, which recognizes nurses with certain advanced degrees as professional persons for purposes of statutes on Mental Health. The committee concurred to make a committee introduction on BDR 39-1637. There was no objection.

Chairman Ashworth presented BDR 2021, which supports establishment of school of architecture and urban and environmental design at University of Nevada at Las Vegas. The committee concurred to make BDR 2021 a committee introduction, with no objection.

Chairman Ashworth presented BDR 16-2090 which removes the limitation based on sex for inmates of the Nevada Girls Training Center, co-educational. The committee concurred to make BDR 16-2090 a committee introduction, with no objection.

Senator Young presented a draft to set forth procedures for admission to the Division of Mental Hygiene and Mental Retardation facilities for the mentally retarded and out of state facilities for the mentally ill. There was no objection to this being drafted.

Chairman Ashworth opened the hearing on S.B. 412.

Mr. Merlin Anderson, Administrator, Nevada Commission on Post-secondary Institutional Authorization, introduced Mr. Tom Edwards, Chairman of the Nevada Commission on Postsecondary Institutional Authorization. Mr. Anderson presented a packet regarding short term educational seminars (Exhibit "A"). He stated there had been an increasing number of these seminars since the commission had been in operation. This is a relatively new phenomenon, as far as receiving of educational credentials, across the country. Dr. Richard Dankworth, Vice-President, University Services of the University of Nevada-Reno requested a list of the short-term seminars as he was concerned about the type of courses they were competing with. Continuing education units have been recognized, in various professional societies and groups, as meeting licensure requirements in the State of Nevada. He suggested amend the bill to include the short-term seminars; amend it down to about one line. Chairman Ashworth agreed that the university should not be allowed, on a continuing basis, to use short-term seminars. These short-term seminars should remain being used by the sales organizations who use this technique to bring their products to the attention of various entities. They provide educational purposes on how to manage, what the product is and tend to bring people from all over which is also good advertising for the product and the State of Nevada. Mr. Anderson stated the university would like the commission to control the competition. Senator Blakemore questioned what damage is being done by motivational seminars. Mr. Anderson stated there was no area of exemption for this type of program under the present law. Senator Blakemore suggested that they register when they are teaching in these seminars. Mr. Anderson said they are trying to promote a routine kind of thing by registration on the form they have supplied in the packet presented in Exhibit "A". Senator Young felt S.B. 412 is too complicated, and that registration is not necessary.

Senator Ashworth requested Mr. Anderson use the suggested language in the proper section to give a definition of a short-term seminar. He was instructed to include in the exemptions that they do not need to be licensed. Mr. Anderson stated they would like registration in case someone should "rip somebody off", in which case they will know who they are dealing with.

Ms. Ethelda S. Thelen, Consultant, Professional Education Resource Services of Nevada, stated she was a private provider of continuing education for nurses. She said she was glad to hear the compromise to put a simple definition on the exemptions. The bill, the way it is written now, along with the restrictions and the law, "would put her out of business."

Ms. Pat Gothberg, Nevada Nurses Association, stated that one of her nurses studied this bill S.B. 412, and wrote the testimony, (Exhibit "B"). Chairman Ashworth stated this bill was to be rewritten to include exemptions and will be rescheduled at a later date.

There being no further testimony Chairman Ashworth closed the hearing on S.B. 412.

(Committee Minutes)

Chairman Ashworth opened the hearing on S.B. 414.

Senator Lawrence E. Jacobsen, Capital District, introduced Mr. Milt Fleischer, local druggist, Gardnerville, Nevada, who was the prime introducer of S.B. 414. Two years ago the identification of a donor was included on the driver's licenses. This bill is considered to be another step in that process. Mr. Fleischer is very active in the Lions Club. He served as their president, and as his district governor. He further stated that the Lions Club is a service organization with the project of eyes and sight, especially in the donor area.

Mr. Milt Fleischer, druggist, Gardnerville, Nevada, presented a Lions Club circular and donor card (Exhibit "C") entitled, "The Gift of Sight and the Gift of Life is Yours to Give." The Lions Club sponsors a course enabling the morticians and the ophthalmologists to enucleate eyes of dead persons to carry out purposes of anatomical gifts. The training course cost is \$100; the enucleation instruments also cost \$100; and the shipping containers for transportation of the donated parts cost \$10. Funding is not required by the taxpayer. The Lions Club "foots the bill". If the donated eye is found to be diseased, it is used only for research purposes.

Mr. Mervin J. Flander, Bureau Chief, Bureau of Services to the Blind, stated that the donated eye must be surgically placed within 48 hours. The tissue begins to deteriorate; normally a transplant is done within 24 hours. Mr. Flander supports S.B. 414. Even the diseased eye is valuable for the research effort.

There being no further testimony on S.B. 414 Chairman Ashworth closed the hearing.

Chairman Ashworth opened the hearing on S.B. 378.

Senator Lawrence E. Jacobsen, Capital District, stated some health care facilities have had financial problems and have had to close. It is necessary to care for the displaced individuals by placing them into a suitable place.

Mr. Orvis E. Reil, Nevada Retired Teachers Association and the American Association of Retired Persons, explained the need for S.B. 378, from the retired persons' viewpoint. He pointed out that this bill protects both the retired person and the management of the health care facility. He stated that relocation of a patient to another county causes loss of visitation rights by the patient's relatives. Senator Young questioned whether the bill is a new one or if it has been patterned after another state. Mr. Reil stated that it was developed through the Aging Services Division from some of the problems that they found in the state. Senator Blake-more felt this is a simple problem and could be handled in an easier manner. Chairman Ashworth stated the bill was too encompassing and would discourage health care facilities. If a health care facility is on the verge of bankruptcy, and they are not treating the patient, then a receiver should be appointed.

Senator Faiss stated that at the present time there is a big shortage of space in the senior citizens nursing homes. If these facilities close there is no place, in the vicinity, to place the patients. Mr. Reil stated that this bill may not do what they actually require, but that something must be done. Senator Young stated the bill alluded to a problem and that maybe a state operated receivership would solve the situation. Senator Jacobsen stated that a number of years ago the nursing homes were placed under the Department of Human Resources; all are now licensed and inspected. The Health Department has the responsibility of inspecting them. That does not solve the problem if the nursing home is no longer solvent. At the present time the average charge in a nursing home is \$40 per day. Chairman Ashworth felt Human Resources should be contacted for more information on S.B. 378. Mr. Reil stated he would try to get more information; the material he submitted for the bill was directed from Aging Services Division. Chairman Ashworth stated that you cannot tell private enterprise that they can not go out of business if they want to, or are forced to. He stated that maybe the government should take over the nursing homes. This is a very serious and depressing situation for the elderly people who cannot take care of themselves. He stated that the bill needs a lot of refining before it can be properly processed. Senator Blakemore stated that each of us have the authority to ask for a receivership from the court. Mr. Reil stated the court proceedings take too long, they want to keep the facility in operation before displacing the patients.

Ms. Phyllis Zauntin, State Health Division, stated Dr. DiSibio's office had no problem, nor support of S.B. 378. She said Dr. Thomason, Chief of the Bureau of Health Facilities, responsible for licensure, was not happy with the bill but would not necessarily oppose it. It was the general feeling that this bill should be rescheduled when Human Resources and the nursing facilities could be present to testify.

Chairman Ashworth closed the hearing on S.B. 378.

Chairman Ashworth mentioned S.B. 429 which deals with motor vehicle violations and stated that it should be referred to the committee on Transportation or to the Judiciary committee. The bill changes fines and deals with penalties and transportation. The fines that are being collected in the county and in the state are sent to alcohol and drug abuse funds in the counties. Senator Blakemore stated that basically the thrust of the bill is to get to the drunken driver.

S.B. 429 (Exhibit "D")

Senator Kosinski moved to rerefer S.B. 429 to the Transportation Committee.

Seconded by Senator Young

Motion carried.

Yeas - - 5
Nays - - None
Absent - - Vice-Chairman Neal

S.B. 414 (Exhibit "E")

Senator Young moved to Do Pass S.B. 414.

Seconded by Senator Blakemore

Motion carried.

Yeas - - 4
Nays - - 1 (Senator Kosinski voted no)

Senator Dodge requested information on S.B. 344. He stated that the language had been reworded. The law now does not have authority in the State of Nevada to issue any kind of a certificate regarding these birth certificate replacements, that is a federal procedure. This bill would permit issuance of a second certificate backed by the information in the file showing the adoptive parents as the parents of the child on the certificate. Senator Kosinski stated the amendment should be presented before any action could be taken on S.B. 344. Chairman Ashworth agreed to discuss this issue at the next meeting April 11, 1979.

There being no further business Chairman Ashworth adjourned the meeting at 10:13 A.M.

Respectfully submitted,


Jean Van Nuys
Committee Secretary

Approved:

Chairman
Senator Keith Ashworth

NEVADA COMMISSION ON
POSTSECONDARY INSTITUTIONAL AUTHORIZATION

October 11, 1978

LISTING OF SHORT TERM SEMINARS KNOWN TO CPIA

Attached is information relative to Short Term Seminars, which to our knowledge have operated within the State this year. These are of very short duration and may earn credit toward a degree or continuing education credit, or no credit at all.

Oregon State University--Corvallis, Oregon

Workshop: "Beyond Stress to Effective Performance"
November 6, 1978--Reno

Workshop: "Modern Secretarial Efficiency"
September 15, 1978--Reno

Workshop: "Managing Interpersonal Conflict"
June 29, 1978--Reno

University of Denver--Denver, Colorado

Seminar: "Making Positive Discipline Work: How to Identify and Reduce Performance Problems"
April 12-13, 1978--Reno

Seminar: "Management Skills for the Educational Administrator"
May 22-23, 1978--Reno

Seminar: "Finance and Accounting for Non-Financial Executives"
March 29-31, 1978--Reno

Seminar: "Efficient Traffic Management"
March 30-31, 1978--Reno

Seminar: "Basic Project Management: Planning, Scheduling & Control"
April 4-6, 1978--Reno

Seminar: "Purchasing Negotiations"
April 5-7, 1978--Reno

Seminar: "A Manager's Guide to Computer-Assisted Hotel Management"
April 10-12, 1978--Reno

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- Seminar: "Leadership Styles and Managerial Effectiveness"
May 24-25, 1978--Reno
- Seminar: "Management Skills for Women Supervisors and Administrative Assistants"
March 22-24, 1978--Reno
- Seminar: "Time Management: Concepts and Techniques for Doing More in Less Time"
July 24-25, 1978--Reno
- Seminar: "Maintenance Management for First Line Maintenance Supervisors"
July 26-28, 1978--Reno
- Seminar: "Fundamentals of Management for Warehouse Supervisors"
June 19-20, 1978--Reno
- Seminar: "Zero Base Planning and Budgeting: A Powerful Management Tool"
June 22-23, 1978--Reno
- Seminar: "Positive Discipline"
October 3-4, 1978--Reno
- Seminar: "Preventive Maintenance"
September 28-29, 1978--Reno
- Seminar: "Effective Project Management"
October 26-27, 1978--Reno
- Seminar: "Mergers and Acquisitions and Divestitures"
October 26-27, 1978--Reno
- Seminar: "Women Managers"
September 28-29, 1978--Reno
- Seminar: "Efficiency in Construction Management"
October 5-6, 1978--Reno
- Seminar: "Marketing, Planning/Evaluating Advertising"
October 30-31, 1978--Reno

Real Estate Seminars:

1. Graduate Realtors Institute
Course I--May 15-19, 1978--Incline Village, NV
2. Reno Board of Realtors
"Roger Butcher Advanced Listing Workshop"
July 14, 1978--Reno

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3. South Lake Tahoe Board of Realtors
"Reducing the Risk of Malpractice in Real Estate"
May 1-3, 1978--South Lake Tahoe, Nevada
4. Farm and Land Institute
"Agricultural and Urban Land Brokerage Courses"
September 14-16, 1977--Las Vegas, Nevada
5. Tom Hopkins--Champions Unlimited
"How to", "Where to Find" and "How to Take"
September 26, 1977--Reno
6. Professional Educational Foundation
"The Income Tax Aspects of Real Estate Transactions"
October 10-12, 1977--South Lake Tahoe, Nevada

Merlin D. Anderson

MEMORANDUM

TO: NEVADA COMMISSION ON POSTSECONDARY
INSTITUTIONAL AUTHORIZATION (for meeting
of November 14, 1977)

FROM: JAMES L. SPOO, Deputy Attorney General *JL*

SUBJECT: SHORT TERM SEMINARS

DATE: 11/14/77

This memo is in response to a request from Merlin Anderson, Administrator of the Commission on Postsecondary Institutional Authorization as to the jurisdiction of the Commission under NRS Chapter 394 over short term seminars, as described in Mr. Anderson's memo (attached hereto).

The conclusion is that such seminars may be covered under Chapter 394 by implication, but are not expressly covered, as will be set forth below. Chapter 394 clearly does not specifically cover such seminars, but could reasonably be interpreted to include such coverage.

In this situation, therefore, a policy, as much as a legal, determination confronts the Commission. The Commission may determine that it does not wish to cover such seminars in the absence of a specific statute providing for such coverage; or the Commission may determine that it does wish to cover such seminars under the existing statute, and that it may decide, but is not required, to hereafter seek a statutory amendment specifically covering such seminars. Whatever determination is made, a consistent enforcement practice is mandatory. Obviously, an express statutory amendment would resolve doubt as to coverage, and any choice, as well.

The purpose underlying the establishment of the Commission is expressed in NRS 394.125. Such purpose is declared to be the protection, education and welfare of citizens and institutions of Nevada by, among other means:

- "1. Establishing minimum standards concerning the quality of education, ethical and business practices, health and safety, and fiscal responsibility, to protect

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against substandard, transient, unethical,
 deceptive or fraudulent institutions and
 practices; (Emphasis supplied)

4. Prohibiting misleading literature,
 advertising, solicitation or repre-
 sentation by educational institutions
 or their agents...."

Thus, the purpose of Chapter 394 may reasonably be interpreted to contemplate coverage of such seminars. Case authority has held that when the intent of the Legislature is known, statutes must be construed so as to effectuate that intent. State v. California Mining Company, 13 Nev. 203 (1878); State ex rel Nevada Tax Commission v. Boerlin, 38 Nev. 39, 144 P. 738 (1914); Abel v. Eggers, 36 Nev. 372 (1913); School Trustees v. Bray, 60 Nev. 345, 109 P.2d 274 (1941).

However, even if the statement of purpose provides a secure disembarkment, it remains to be discovered what specific operative authority supports such purpose.

To begin with, the relevant definitions in Chapter 394 could reasonably encompass such seminars. The terms "education" and "educational services" are defined to include "...any class, course or program of training, instruction or study." NRS 394.041. Though more restricted, the term, "educational credentials" might reasonably be said to encompass such seminars, depending upon the particular documentation culminating a given seminar. See NRS 394.043.

The term "person" is defined in its customary legal generality to include individuals and entities. NRS 394.096; Cf. NRS 394.047. Both "postsecondary education" and "postsecondary educational institution" devolve from the definitions of "education," "educational services," and "educational credentials," cited above. See NRS 394.098 and 394.099. "Postsecondary education" includes education undertaken for academic, professional, or vocational ends. "Postsecondary educational institution" is not limited to

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regular, established, or situate institutions of learning, but includes "any person offering...educational services." Such definitions could encompass a variety of seminars.

NRS 394.560 specifies the illegality of such educational activities and the advertising thereof as are included in the preceding definitions, but are unlicensed. Such section applies its prohibitions to such interstate activities whether the implicated institutions or persons are within or without the state; in addition, "agents" of such institutions or persons are included in such prohibitions. Thus, an interpretation of the Chapter may be further broadened to facilitate a potential application to such seminars. Cf. NRS 394.009.

If the cited statutory provisions be construed narrowly, for legal or policy bases, so as to exclude coverage of such seminars, NRS 394.430(2) may at least minimally include such seminars. This section authorizes investigations of persons "reasonably believed by the Commission to be subject to its jurisdiction." Under this section, the Commission could, if consistent and in good faith, closely watch and scrutinize, if not all such seminars, then such seminars whose coverage would, even if the remainder of the Chapter is narrowly applied, give rise to valid doubts.

The potential coverage of the Chapter outlined to this point may be said to be pointedly circumscribed by the exemptions specified in NRS 394.371(2), (3), and (4). These provisions describe exemptions for in-house kinds of education, avocational and recreational education, and education offered by eleemosynary entities. The Commission's general application, if any, of these exemptions heretofore would substantially determine the extent of any exemptions for such seminars. Nevertheless, future application of such exemptions, particularly that exemption applying to avocational or recreational education, could either restrict or expand the desired coverage of the Chapter as a whole, as previously discussed. Significant, but undefined, discretion is granted the Commission by these exemptions in the application of such exemptions. A policy choice again arises, as with other provisions of the Chapter as previously indicated. Beyond that, a consistent and good faith application of such exemptions is a fundamental legal requisite.

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This memo is, as has been evident, necessarily indefinite to some degree. It is offered as a guide, because no ultimate legal conclusion readily appears from Chapter 394. The Commission may correctly choose to rely upon the memo as a basis for action or for discussion alone.

Further consultation with this office as to regulatory implementation of any desired action would be necessary if a decision is reached by the Commission as to such seminars.

We trust the above satisfactorily answers your inquiry; however, if we may be of any further assistance on this matter, please advise.

STATE OF NEVADA
LEGISLATIVE COUNSEL BUREAU

LEGISLATIVE BUILDING
CAPITOL COMPLEX
CARSON CITY, NEVADA 89710



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RECEIVED

FEB 6 1978

C.P.I.A.

February 3, 1978

Merlin Anderson, Administrator
Commission on Postsecondary Institutional Authorization
State Capitol Complex
308 North Curry Street
Carson City, Nevada 89710

Dear Mr. Anderson:

At your request, I am sending my written comments concerning the subject of regulation of short-term seminars, workshops and conferences.

Construing chapter 394 of NRS as a whole, short-term seminars, workshops and conferences are not a proper subject for regulation by the Commission. That chapter was enacted to regulate educational institutions such as schools, colleges and universities which are established and operated in Nevada on a long-term basis.

Very truly yours,

Edward Dannan
Edward Dannan
Deputy Legislative Counsel



NEVADA COMMISSION ON POSTSECONDARY INSTITUTIONAL AUTHORIZATION

SHORT TERM SEMINAR REGISTRATION FORM

1. Name of institution offering program _____
2. Address of institution _____
 City _____ State _____ Zip _____ Telephone _____
3. Title of seminar _____
4. Date/s of seminar/s _____
5. Location (city, name of hotel, etc.) _____
6. Type of education or training offered _____
7. Tuition costs _____ Other educational fees _____
8. Estimated number of participants or enrollees _____
9. Length of program: Hours _____ Days _____
10. Estimate of number of times institution will offer such programs in Nevada during 12 month period _____
11. Principal objectives of training or education being offered:
 - a. _____
 - b. _____
 - c. _____
 - d. _____
12. A description of any follow-up or post seminar requirements including fees charged to participants:

13. If institution is accredited, name of accrediting agency or association

14. Name of individual filing registration form _____

THE FOREGOING INFORMATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF AS OF THIS DATE _____

Signature of Auth. Rep.



Nevada Nurses' Association

3660 Baker Lane Reno, Nevada 89509 (702) 825-3555

The Nevada Nurses' Association is well aware of the need to provide quality control of continuing education for the protection of the consumer. We are, however, concerned about the provisions of SB 412.

As you know, mandatory continuing education to maintain the right to practice has been considered during this legislative session for attorneys, nurses and physicians. There is concern that SB 412 will decrease the availability of continuing education offerings in the form of informational seminars, and that SB 412 will increase the cost of continuing education offerings.

Under Section 4 of SB 412, the criteria identified would seem to affect private providers and agencies (Heart Association, Lung Association, March of Dimes, etc.) who provide many of the professional informational seminars in Nevada. The need to obtain a permit to conduct such a seminar may well deter many providers.

SB 412 is unclear in regards to the fee charged to obtain a permit for conducting an informational seminar. Will the individual or group be required to pay a fee to obtain a permit? Or does Section 10 of SB 412 imply that legislative appropriation from the state general fund would pay for the administration of these provisions? A case against either can be made; increase cost for the consumer on one hand, state support of private business on the other.

One way of handling these concerns is to make provisions in the statute (NRS 394) for additional exemptions. Already, seven exemptions are identified including flying school, eleemosynary institutions, etc. Perhaps, the exemption of informational seminars which have been approved by an accredited professional body would meet the concern expressed in this bill. For instance, the Nevada Nurses' Association provides an approval program for continuing education as a means to promote quality control. Other professional groups may also have similar approval mechanisms.

In summary, the Nevada Nurses' Association is concerned about the provisions of SB 412 and its effect on the availability and cost of informational seminars for Nevada nurses.

Thank you for your attention. We appreciate the assistance you can provide.

Does organ donation produce disfigurement?
Does it effect funeral or burial arrangements?

No. Nor does it interfere with customary funeral or burial arrangements. These arrangements remain the responsibility of relatives or persons in charge of the estate.

Is there any conflict between saving my life and using my organs for transplantation?

Definitely not, since organ donation never occurs until after death is certified.

Will my family or estate have to pay or be paid for organ donation?

No. It is against Nevada law to buy or sell donated organs and tissues for transplantation.

What are the ethics of organ donation and transplantation?

All religions believe there is no greater gift than the Gift of Life. If you have any questions, consult your local clergy.

Can I donate my organs while I am alive?

No, except in special cases when one member of the immediate family may donate one of his or her kidneys to another member. Otherwise, donations are carried out only after death.

Do I have to mention the donation in my will?

No. Your donor card is a kind of "pocket will" and is all you need. It's important to carry the card and to inform your family and physician to insure their cooperation.

Do I have to register with some agency?

No. Your signed and witnessed donor card is all that is needed.

Can I change my mind later?

Yes. Just peel the card from your driver's license.

The conquest of kidney disease is the goal of the Kidney Foundation of Nevada... prevention, treatment, and cure through programs of education, research, and service.



The Gift of Sight and Gift of Life Program promises new hope through the miracle of transplantation and a caring public—

PLEASE BE A DONOR

For more information, write or call:

KIDNEY FOUNDATION OF NEVADA
1000 S. 3rd Street, Suite B, Las Vegas, NV, 89101
Phone: (702) 382-8017

WASHOE MEDICAL CENTER — Hemodialysis Unit
77 Pringle Street, Reno, NV, 89502
Phone: 785-6161

Milt Fleischer, Lions Past District Governor 4N
PO Box 368, Gardnerville, NV, 89410
Office: 782-5119; Home: 782-2059

Lion Gig Brann
4221 Stonebridge Lane, Las Vegas, NV, 89108
Office: 386-7321; Home: 648-6979



Printed as a public service by the Nevada State Independent Insurance Agents



The Gift of Sight and The Gift of Life is Yours to Give

Presented by the Lions of District 4N and the Kidney Foundation of Nevada



EXHIBIT "C"

LIFE SAVING FORMULA:
Driver's License = A Gift of Life
Organ Donation Card



+



THE GIFT OF SIGHT AND GIFT OF LIFE PROGRAM

Most people would not hesitate to save someone's life if they could. It is, perhaps, the ultimate humanitarian act. You may not think you'll have the opportunity. But you could. Millions of lives are saved by blood donations. When no longer need them, your eyes, kidneys, other vital organs and tissues can be used to help others see again--or live a normal life. UNLESS YOUR DESIRES ARE KNOWN you may miss the opportunity to give the greatest gift of all--A GIFT OF LIFE!

Here are some staggering national statistics:

* 416,000 people are totally blind, and each day 90 unfortunate people are added to this group. More than 30,000 of these could probably see again by having corneal surgery... if corneas were available.

* More than 8,000,000 Americans are suffering from kidney and related diseases. Over 50,000 die every year. Thousands of others--dependent on machines to survive--live in quiet desperation. Too often they are robbed of normal childhood or full, productive adult lives.

HOW THE PROGRAM WORKS

To alert Nevadans to the Gift of Sight and Gift of Life program, the Department of Motor Vehicles is making available a donor card which may be affixed to the back of your driver's license. The program is entirely voluntary.

If you are applying for any driver's license or renewing your old one you may request one of these cards. To be legally valid, the card must be signed by you in the presence of two witnesses at least 18 years of age, who also must sign it. (Please don't ask DMV employees to act as witnesses). If your license hasn't expired and you don't want to wait, you may obtain a card from your local DMV driver's license office.

Be sure to discuss your intentions with your family; in most circumstances, your next of kin will be asked for permission to carry out your wishes. Your family also should be prepared to alert the attending physician or other hospital personnel to your signed donor pledge, if necessary.

Becoming a donor is a deeply personal decision which only you can make. But the time to think about it is NOW. You'll feel good knowing you can leave something money cannot buy--SIGHT AND LIFE!

THE SPIRIT OF LIONS

Lionism means many things to many people. To thousands throughout the world it means a helping hand, a second chance. It means a knowledge that there are those, more fortunately situated than some of their brothers, who are willing to share with those less fortunate than themselves. It means new hope and a brighter tomorrow for people in need!

ANSWERS TO COMMON QUESTIONS ABOUT DONATION OF VITAL PARTS

How can I become a donor?

Simply by filling out the uniform donor card supplied by the Department of Motor Vehicles Driver's License Division.

Is there an age requirement?

Anyone 18 years of age or over and of sound mind may become a donor by signing the card.

What organs and tissues can be used?

Hundreds of Nevadans are in need of kidneys, corneas, skin for severe burn cases, middle ear drums, ear bones, and pituitaries, which supply a vital growth hormone.

How successful is transplantation?

Today, many transplants are considered routine medical procedures. Sight-restoring cornea transplants are 90% successful, while kidney transplants are 50 to 100% successful, depending upon the donor.

Can I be sure my donation will be used?

It ultimately depends on the medical circumstances surrounding death. Vital organs, such as kidneys, must be removed within 60 minutes after death and transplanted within 72 hours. Other donations, such as eyes, should be removed within three hours after death and used for transplants within 48 hours. Even if your vision is poor, your eyes are usable; no prior examination is needed. Eyes not suitable for transplants are invaluable for study of eye diseases and experimental surgery. All portions of the eye can be used. Those operated for cataracts are still valuable to the donor program.

S. B. 429

**SENATE BILL NO. 429—SENATORS McCORKLE, DON ASH-
WORTH, CLOSE, FAISS, NEAL, KOSINSKI, BLAKEMORE,
WILSON, ECHOLS, LAMB, JACOBSEN, GIBSON, HERN-
STADT, FORD, GLASER AND KEITH ASHWORTH**

APRIL 5, 1979

Referred to Committee on Human Resources and Facilities

SUMMARY—Increases penalties for driving under influence of intoxicating liquor or controlled substances and provides for support of alcohol and drug abuse programs. (BDR 43-1528)

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

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

AN ACT relating to alcohol and drug abuse; increasing the penalties for driving under the influence of intoxicating liquor or a controlled substance; requiring an amount equal to the fines collected in each county to be paid from the state general fund to the respective counties to support alcohol and drug abuse programs; and providing other matters properly relating thereto.

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

- 1 **SECTION 1.** Chapter 458 of NRS is hereby amended by adding
2 thereto a new section which shall read as follows:
3 1. *At the end of each fiscal year, the state treasurer shall pay from*
4 *the state general fund to the state grant and gift fund for alcohol and*
5 *drug abuse an amount equal to the total amount of fines collected that*
6 *fiscal year for violations of NRS 484.379.*
7 2. *Within 30 days after the transfer required by subsection 1, the*
8 *bureau shall pay to each county an amount equal to the total amount of*
9 *fines collected for the prior fiscal year for violations of NRS 484.379*
10 *occurring in that county. The counties shall use the money received pur-*
11 *suant to this subsection for the support of alcohol and drug abuse pro-*
12 *grams certified by the bureau pursuant to NRS 458.025.*
13 **SEC. 2.** NRS 484.379 is hereby amended to read as follows:
14 484.379 1. It is unlawful for any person who is under the influence
15 of intoxicating liquor to drive or be in actual physical control of a vehicle
16 within this state.
17 2. It is unlawful for any person who is an habitual user of or under
18 the influence of any controlled substance or *for any person who inhales,*

1 ingests, applies or otherwise uses any chemical, poison or organic solvent,
2 or any compound or combination of any chemical, poison or organic
3 solvent, to a degree which renders him incapable of safely driving or
4 steering a vehicle to drive or steer a vehicle within this state. The fact
5 that any person charged with a violation of this subsection is or has been
6 entitled to use such drug under the laws of this state [shall not constitute]
7 is not a defense against any charge of violating this subsection.

8 3. Any person who violates the provisions of this section [is guilty
9 of a misdemeanor] shall be punished by a fine of not less than \$250 nor
10 more than \$500 and may be further punished by confinement in the
11 county or city jail for not more than 6 months, and [such] that person's
12 license to operate a vehicle in this state may, by the decision of the
13 court, be suspended by the department of motor vehicles for a period of
14 not less than 30 days nor more than 1 year.

15 4. Upon a subsequent conviction within 3 years, the person so con-
16 victed shall be punished by a fine of not less than \$250 nor more than
17 \$1,000 and may be further punished by confinement in the county or
18 [municipal] city jail for not less than 10 days [.] nor more than 6
19 months [or by a fine of not more than \$500 or by both such fine and
20 imprisonment.] and the department of motor vehicles shall suspend his
21 license to operate a vehicle for 1 year.

22 5. No judge or justice of the peace in imposing sentences provided
23 for in this section [shall] may suspend the same or any part thereof.

24 6. Any term of confinement imposed under the provisions of subsec-
25 tion 4 may be served intermittently at the discretion of the judge or
26 justice of the peace. This discretion [shall] must be exercised after con-
27 sidering all the circumstances surrounding the offense, and the family and
28 employment situation of the person convicted. However, the full term of
29 confinement [shall] must be served within a 6-month period from the
30 date of conviction, and any segment of time the person is confined
31 [shall] must not consist of less than a 24-hour period.

32 7. Jail sentences simultaneously imposed under this section, and NRS
33 483.560 or 485.330, [shall] must run consecutively.

S. B. 414

SENATE BILL NO. 414—SENATOR JACOBSEN

APRIL 2, 1979

Referred to Committee on Human Resources and Facilities

SUMMARY—Authorizes certain persons to enucleate eyes of dead persons to carry out purposes of anatomical gifts. (BDR 40-1466)

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 anatomical gifts; authorizing certain persons to enucleate eyes of dead persons in order to carry out purposes of anatomical gifts; and providing other matters properly relating thereto.

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

- 1 **SECTION 1.** Chapter 451 of NRS is hereby amended by adding
- 2 thereto a new section which shall read as follows:
- 3 *A licensed funeral director, a licensed embalmer or a medical techni-*
- 4 *cian may enucleate an eye of a dead person in order to carry out a gift*
- 5 *made pursuant to the Uniform Anatomical Gift Act if the director,*
- 6 *embalmer or technician has successfully completed a course, approved*
- 7 *by the board of medical examiners of the State of Nevada, in the proce-*
- 8 *dure for enucleation of eyes.*
- 9 **SEC. 2.** NRS 451.500 is hereby amended to read as follows:
- 10 451.500 NRS 451.500 to 451.585, inclusive, *and section 1 of this*
- 11 *act may be cited as the Uniform Anatomical Gift Act.*