

Chairman Robinson called the meeting to order at 2:00 in room 200.

MEMBERS PRESENT: Mr. Bennett
Mr. Brady
Mr. Bremner
Mr. DuBois
Mr. Jeffrey
Mr. Kovacs
Mr. Prengaman
Mr. Rusk
Dr. Robinson

MEMBERS ABSENT: Mr. Chaney (excused)
Mr. Dini (excused)

GUESTS PRESENT: See Attached Guest List

Dr. Robinson opened the hearing on A.B. 381.

A.B. 381: ENTITLES INSURED UNDER INDIVIDUAL AND GROUP HEALTH INSURANCE POLICIES TO SAME REIMBURSEMENTS BY CHIROPRACTORS.

Testifying on the bill was John Polish, Assemblyman from District 35. He indicated that the bill proposed to make changes to Chapter 689A of NRS and introduced David Russell and Dr. Nancy James.

David Russell, representing the Chiropractic Association of Nevada, introduced Dr. Nancy James as being the legislative chairman of the Association. He said that the bill clarifies a problem with insurance coverage for the services of a chiropractor. He added that some of the insurance companies were stopping payment after the patient had received a specified number of treatments.

The second section of the bill would add group health insurance policies as well as individual health insurance policies, Mr. Russell said.

Dr. Robinson referred to Amendment No. 401 and asked Mr. Russell if he had requested them (EXHIBIT A). Mr. Russell answered that he had not; however, he was aware that someone else had.

Dr. Robinson then asked for an explanation of that portion of the amendment which specified "any contract".

It was explained by someone in the audience that that particular language referred to Blue Shield, Medical Service Corporations and Hospital Maintenance Organizations (HMO).

Mr. Prengaman asked if there was a list, somewhere, that listed all the types of treatments given by chiropractors.

Mr. Russell responded that such a listing could be found under NRS Chapter 634.

Dr. James said, "I think the whole crux of the matter is what Senator (sic) Prengaman said is the authorized scope of practice by a qualified practitioner." She added, "Our scope is quite limited."

Dr. Robinson asked Dr. James to provide the Committee members with a copy of the definition of a chiropractor's scope of practice.

Next to testify was Georgia Massey, representing the Nevada Insurance Division. Ms. Massey said that portions of the bill were duplications of what was already in the law. She cited 689A.380 of NRS and said that this section included chiropractors. She said that chiropractors were also included in 695C of NRS. Ms. Massey added that under the present law, every insurance policy or contract that is sold and issued in Nevada, must recognize the services of a chiropractor within the scope of his practice.

Ms. Massey further testified that most policies do not limit the number of treatments covered, that the number of treatments covered is determined by the severity of the illness and the necessity for the treatment. She said that specifying the number of treatments to be covered by a policy might actually cut down the number of such treatments that will be covered.

Dr. Robinson asked Dr. James why the bill had been requested.

Dr. James answered that there is discrimination against chiropractors by several insurance companies. She said that she had been told by these companies that the law was not "clear enough," and that A.B. 381 was an attempt to clarify the law. She illustrated her point with an example of the different number of treatments needed by various "whiplash" patients.

Ms. Massey then stated, "By putting in item two of each one of these sections, you are actually putting in for a chiropractor something that is not put in for any other practitioner."

Mr. Russell commented that he would research the statutes to which Ms. Massey had referred and make sure that chiropractors were covered. He added that he felt that the Insurance Division's remarks regarding possible problems resulting from trying to specify numbers of treatments to be covered was accurate. He said he would return to the Committee to let the members know what to do about the bill.

Jeannie Sharpnack, representing Blue Shield of Nevada, testified that she agreed with the statements made by Georgia Massey and that she did not feel that the bill was necessary.

Richard Pugh, Executive Director of the Nevada State Medical Association, testified that the Association was in agreement with the position of the Nevada Insurance Division with respect to A.B. 381. He added that he felt the amendments proposed to the bill were also a duplication of existing law.

Dr. Robinson closed the hearing on A.B. 381.

Mr. Kovacs said that he realized the Chairman had closed the hearing, but he wondered if evidence could be provided to the Committee to show where insurance companies had discriminated against chiropractors in their coverage.

Georgia Massey remarked that there was an arbitration system of peer review available to any chiropractor who felt that an insurance company was discriminating against him.

Chairman Robinson then opened the hearing on A.B. 464.

A.B. 464

REQUIRES NEVADA STATE BOARD OF CHIROPRACTIC EXAMINERS TO HEAR ALL CHARGES FILED AGAINST CHIROPRACTORS.

Testifying on behalf of the bill was Assemblyman John Polish. He said that the Chiropractic Association had requested the bill for their group.

Also testifying on the bill was David Russell, representing the Chiropractic Association of Nevada. He said the bill made some slight changes in the procedures presently existing in the law for the handling of complaints made against chiropractors.

Mr. Russell explained what the present procedures were for handling complaints made against chiropractors, and remarked that the bill was a result of disputes between the chiropractors and the licensing board. He said, "The problem has arisen is that charges or complaints that are made have been somewhat arbitrarily decided to have no sufficiency by the president and the secretary of the board, and it goes away." He added that he would negotiate with the board on the 90 days that the bill was requiring for a hearing on complaints.

He stressed that "every" complaint against a chiropractor should be heard by the board.

Dr. James suggested that a hearing might be held by telephone instead of in person. Dr. Robinson remarked that a hearing had to be in person.

Mr. Dini asked why the Association wanted every complaint heard. Dr. James answered by saying that some complaints against the president or the secretary of the board never get heard because those individuals conclude that the complaint is insufficient for a hearing. She stressed that the chiropractors in Las Vegas wanted every single complaint heard.

There was further discussion between the Committee members, Dr. James and Mr. Russell about the requirement that the board hear all complaints within 90 days. Several alternatives were suggested such as 120 days, and 180 days.

Mr. Russell said that he would do some drafting revisions if the Committee felt they were necessary.

Chairman Robinson closed the hearing on A.B. 464 and opened the hearing on A.B. 465.

A.B. 465: BROADENS PROHIBITION AGAINST PRACTICING CHIROPRACTIC WITHOUT LICENSE.

Assemblyman Polish very briefly highlighted the changes that the bill would make to the law.

Mr. Russell added that this bill was simply a clarification and application of the existing law. He said that it was an expansion of the terminology and that the bill was self-explanatory.

The chairman then closed the meeting on A.B. 465 and opened the hearing on A.B. 493.

A.B. 493: LIMITS NUMBER OF SUCCESSIVE TERMS MEMBERS OF NEVADA STATE BOARD OF CHIROPRACTIC EXAMINERS MAY SERVE.

Assemblyman Polish commented that this bill was also self-explanatory, that it limited the number of successive terms that members of the Nevada State Board of Chiropractic Examiners could hold.

David Russell stated that the bill does exactly what the summary intends for it to do.

Dr. Nancy James reiterated the remarks of both Assemblyman Polish and David Russell. She added that she was not prepared to speak to this bill. In reference to the board members, Dr. James said, "They've been there forever and there's a lot of people that feel it's time to move on." She also said that the Governor did not choose the members of board from the list presented to him by the Association.

In response to a question from the Committee, Dr. James stated that there were approximately 105 full-time, practicing chiropractors in the State of Nevada. She added that several of the chiropractors seemed to be having difficulties with some of the members of the board, and that she was speaking for the Association as a whole. Dr. James also said that there were many dedicated chiropractors in Nevada who would donate their time to serve on the State board.

In answer to another question from Mr. Prengaman, Senator Jacobsen said that the more crude a product was, the cheaper it was. He added that the heavier the fuel was, the more BTU's it contained and that such heavy fuel had to remain heated to keep it fluid. This kind of fuel, he said, was used by ships and in heavy industrial furnaces.

Mr. Prengaman said that he was very concerned with the thought that all of the heavy diesel equipment that would be in use in Nevada with the coming of the MX might possibly be using inferior grades of diesel fuel, which would cause problems in terms of pollution.

Senator Jacobsen answered that the manufacturers of the equipment would specify the grade of fuel to be used in that equipment. He also said that the users of the equipment would be purchasing their fuel from a distributor instead of directly from a refinery, and that the fuel from the distributors would have to be up to standard, it could not be exempted.

Knute Pennington, from the Division of Weights and Measures, testified that the regulations to be written to allow exemptions from the current fuel standards had to be written according to the existing laws. He said that a local refiner had problems with getting certain fuels to the 90 percent distillation point now required and that Weights and Measures was requesting a change in the law to permit the refiner to produce a slightly less refined fuel. Mr. Pennington assured the Committee that there would be no problems with a distributor not knowing the quality of fuel he was receiving. He said that, other than this section, the rest of the bill was a matter of "editorial clean-up".

Testifying next was George Vargas. Mr. Vargas presented a letter to the Committee from the Atlantic Richfield Company (EXHIBIT B). He said that the only objection that ARCO had with the bill was found on line 36, page 4, which called for both liter pricing and gasoline pricing if the station is dispensing by the liter. He said that to save the consumer confusion, all posting should be done by the "gallon" when street signs are used instead of having two signs side by side.

To effect this change, Mr. Vargas suggested amending the bill on line 39, page 4 by inserting the phrase "on the face of the pump" after the word "designating". He also said that it would be necessary to delete all of the language in line 40 and 41.

Dr. Robinson said that in order to make such a change in the bill, a change would also have to be made to Line 28, page 5 by inserting the phrase "in gallons" after the word "price." Mr. Vargas agreed that this would also be necessary.

Mr. Vargas then explained to the Committee some of the history involved in the street signs used in service/gasoline stations.

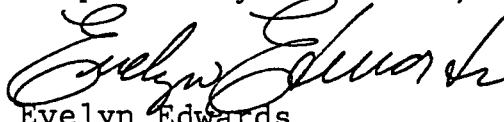
Mr. Pennington then explained that what the bill intended to do was to make it mandatory for the service station to post the price "per gallon" up above the station regardless of how it was advertised on the pump. He added that he did not visualize stations posting large signs on the street that would show the price in gallons as well as in other units of measurement such as liters or half gallons. He said that the bill would encourage the station owners to put up the "per gallon" prices of the gasoline sold.

Mr. Vargas asked Mr. Pennington to clarify if he understood correctly in that the bill would require the stations to advertise in terms of gallons regardless of what other units of measurements they also chose to use.

Mr. Pennington confirmed Mr. Vargas' assumption, and said that that the language in the bill had been put there after a suggestion from the attorney for the Division of Weights and Measures had been made.

There being no further testimony, Chairman Robinson adjourned the meeting.

Respectfully submitted,



Evelyn Edwards
Committee Secretary

ASSEMBLY MERCE COMMITTEE

GUEST LIST

DATE: 4/16/81

PLEASE PRINT YOUR NAME	PLEASE PRINT WHO YOU REPRESENT	I WISH TO SPEAK		
		FOR	AGAINST	BILL NO.
Kate Boniglav	Nev. Dept. of Agriculture	✓		SB 153
Bruce Russell	Chiropractic Assn. of Nev.	✓		
Georgia Massey	Nevada Insurance Dir.			AB-381
Jeanne Abraham	Blue Shield of Nev.			AB-381
Richard L. Pugh	Nevada State Medical Assn.			A3-381

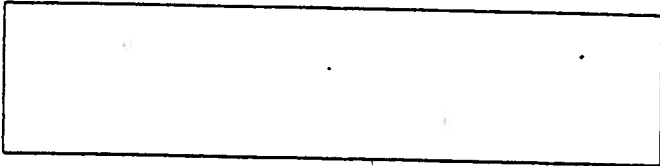
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EXHIBIT A

1981 REGULAR SESSION (61st)

ASSEMBLY ACTION	SENATE ACTION Assembly.....	AMENDMENT BLANK
Adopted <input type="checkbox"/>	Adopted <input type="checkbox"/>	AMENDMENTS to.....	Assembly
Lost <input type="checkbox"/>	Lost <input type="checkbox"/>	Bill No.....	Joint
Date: <input type="checkbox"/>	Date: <input type="checkbox"/>	381	Resolution No.....
Initial: <input type="checkbox"/>	Initial: <input type="checkbox"/>	BDR.....	57-1522
Concurred in <input type="checkbox"/>	Concurred in <input type="checkbox"/>	Proposed by.....	Mr. Polish
Not concurred in <input type="checkbox"/>	Not concurred in <input type="checkbox"/>		
Date: <input type="checkbox"/>	Date: <input type="checkbox"/>		
Initial: <input type="checkbox"/>	Initial: <input type="checkbox"/>		

Amendment No 401



Amend the bill as a whole by adding two new sections designated sections 3 and 4, following section 2, to read as follows:

"Sec. 3. Chapter 695B of NRS is hereby amended by adding thereto a new section which shall read as follows:

1. If any contract for hospital or medical service provides coverage for treatment of an illness which is within the authorized scope of practice of a qualified chiropractor, the insured is entitled to reimbursement for treatments by a chiropractor who is licensed pursuant to chapter 634 of NRS.

2. The terms of the policy must not limit coverage for treatments by a chiropractor to a number less than for treatments by other physicians.

Sec. 4. Chapter 695C of NRS is hereby amended by adding thereto a new section which shall read as follows:

1. If any evidence of coverage provides coverage for treatment of an illness which is within the authorized scope of practice of a qualified chiropractor, the insured is entitled to reimbursement for treatments by a chiropractor who is licensed pursuant to chapter 634 of NRS.

2. The terms of the policy must not limit coverage for treatments by a chiropractor to a number less than for treatments by other physicians."

To: E & E
LCB File
Journal
Engrossment
Bill

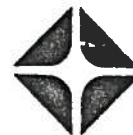
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Drafted by DS:ml Date 4-1-81

Atlantic Richfield Company

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D. E. Boyd
Associate Director
Western State and Local
Government Relations



Vargas, Bartlett
APR. 16 1981
& Dixon

April 13, 1981

Mr. George L. Vargas, Esq.
201 West Liberty Street
P.O. Box 281
Reno, NV 98504

Re: NV SB 153 (Jacobsen)
Changes for Sale of Petroleum
Products

Dear George:

Atlantic Richfield supports SB 153 and makes the following comments:

Section 4: NRS 590170 calls for both liter pricing and gallon pricing if a station is pricing and dispensing gasoline by the liter. The bill is obviously attempting to eliminate consumer confusion at stations pricing by the liter. We agree, but suggest all stations be required to post the price on the street by the gallon. We feel two price signs side by side will be even more confusing. We suggest you recommend the dual pricing explanation to the consumer be displayed on the pump face. A decal we currently use could handle this information.

Section 7: NRS 590210 should remain as is. We feel 4" letters for gasoline is sufficient. Letters for "Gasoline" (along with letters for descriptive messages, i.e., "Self Serve") one-third the size of the price numerals will make the sign so busy it will only add to the existing confusion.

Mr. George L. Vargas, Esq.
April 13, 1981
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Also, regulations changing price signs would
be a burden for retail dealers, as they may
be required to pay for new price signs..

David E. Boyd /mma

David E. Boyd

DEB:mma

cc: Nevada Clients Group