

MINUTES OF THE  
MEETING OF THE SENATE COMMITTEE  
ON HUMAN RESOURCES AND FACILITIES

SIXTY-FIRST SESSION  
NEVADA STATE LEGISLATURE  
February 24, 1981

The Senate Committee on Human Resources and Facilities was called to order by Chairman Joe Neal at 8:06 a.m., Tuesday, February 24, 1981, in Room 323 of the Legislative Building, Carson City, Nevada. Exhibit A is the Meeting Agenda. Exhibit B is the Attendance Roster.

COMMITTEE MEMBERS PRESENT:

Senator Joe Neal, Chairman  
Senator James N. Kosinski, Vice Chairman  
Senator James H. Bilbray  
Senator Richard E. Blakemore  
Senator Wilbur Faiss  
Senator Virgil M. Getto

GUEST LEGISLATOR:

Senator Norman Glaser

STAFF MEMBER PRESENT:

Sheba L. Frost, Secretary

SENATE BILL NO. 186 -- "Provides state reimbursement of certain costs of hospital care for certain indigents injured in motor vehicle accidents."

Senator Norman Glaser, chief sponsor of S.B. No. 186, said that this bill has been introduced in past sessions but failed to pass through the finance committees. The senator said that the bill addresses a problem which primarily occurs in the rural counties which have to transport serious motor vehicle accident victims to large city hospitals for treatment. If the victim is an indigent, the cost for the care of the victim is charged back to the county where the accident occurred. Senator Glaser said that S.B. No. 186 provides for the techniques to recover, whenever possible, medical costs from the victim; and, a \$1,000 "unpaid charge" or deductible. In Section 11, the bill creates an

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indigent fund. Senator Glaser said that the welfare division of the department of human resources will have to determine the exact liability for the state if this bill is passed out of this Committee on Human Resources and Facilities and forwarded to Senate Finance.

Mr. Bryce Wilson, representing the Nevada Association of Counties, said that the association supports S.B. No. 186. However, Mr. Wilson suggested the following changes to the bill: (1) Page 1, Section 4, lines 10-11, "Hospital" should be defined with the deletion of the words "diagnosis" and "all stages." The definition would read: "Hospital" means an establishment which has the staff and equipment to provide care and treatment of human injury and illness and which provides 24-hour medical care.; (2) Page 2, Section 6, line 2, delete "on a public street or highway" in order that indigents injured on off-road accidents could be covered by this bill; (3) Page 2, Section 9, line 28, the \$1,000 should be reduced to \$500 in order not to burden the smaller counties; and (4) Page 3, Section 12, lines 14-16, that reference to the "board of county commissioners" be deleted in order to make the state liable for burial costs.

Mr. Max Chilcott, ex-commissioner from Mineral County, said that he has followed this legislation for some time, and supports its concept. Mr. Chilcott also suggested an amendment to Section 4, page 1, on the definition of the word "Hospital." He said "Hospital" should be defined as "a medical facility providing 24-hour care that has a valid acute care license." Mr. Chilcott said that the present definition in S.B. No. 186 would exclude most of the rural hospitals. Senator Bilbray said that he did not understand that this bill was drafted to also cover indigent costs in rural hospitals, but only in the larger urban/city hospitals. Mr. Chilcott said that the hospital in Hawthorne receives many of the indigent accident victims from Esmeralda County, and he would like the Hawthorne hospital to receive state reimbursement under this provision.

Mr. Chilcott continued and suggested that in Section 10, page 2, line 37, the word "private" be deleted. This suggestion also applies to Section 13, page 4, line 6.

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Senator Kosinski asked which entity would be liable if a victim is injured in a county of which he is a non-resident and then transported to a major hospital in a different county. Mr. Corey Creasey representing Douglas County, said that in accord with S.B. No. 186, the county where the indigent resides would be responsible for the first \$1,000 of medical expenses and thereafter the division of welfare would be responsible. Senator Kosinski explained that he understood in past sessions that the concept of this proposed legislation was to address the costs incurred by non-residents of the State of Nevada. The concept of S.B. No. 186, the senator said, goes beyond that proposal. Senator Getto said that he understood, as Senator Kosinski stated, that the state would only be liable if the victim was not a resident of Nevada. However, if the victim was a resident of a county within the state, the county in which he/she were a resident would be liable. Mr. Chilcott said even if the bill were to address just the non-residents of the state, this would still assist the rural counties in the large medical bills they receive from the major city hospitals.

Senator Kosinski asked if the intent of S.B. No. 186 was to provide a maximum monetary amount for the indigent fund. Mr. Creasey said that in other related legislation, specifically Assembly Bill No. 11, a cap is indicated and that amount is not to exceed \$100,000 per fiscal year. Senator Getto said that the \$100,000 is not a realistic figure as some counties already have that amount in medical bills for indigents at this time.

Mr. Creasey said that he would also like to present additional amendments to S.B. No. 186. Mr. Creasey said that all references to "district attorney" on page 2, lines 13-14, 16 and 32 should be deleted and replaced by "board of county commissioners or their designated representative." On page 2, Section 7, line 14, the phrase "hospital is located" should be deleted and replaced by "where the accident occurred." On page 3, Section 12, line 16, the sentence should include the phrase "or cremation." And, on page 4, a final paragraph should be added to read: "The county is chargeable with the entire cost of services rendered by the hospital and any salaried staff position or employee to any indigent person admitted for emergency treatment."

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Chairman Neal asked that Mr. Creasey provide a written list of his amendments to the committee.

Senator Blakemore commented if S.B. No. 186 is not passed, it is possible that some counties could go bankrupt over this situation.

Ms. May Shelton, director of the Washoe County Welfare Department, said that Washoe County would support state subsidy of non-state resident indigent victims. And, in regard to adding "or cremation" when referencing burials in the bill, Ms. Shelton clarified that currently in Washoe County, the board of county commissioners does pay for indigent burial costs. The decision to bury or cremate is not made by the board, but rather by the survivors if there are any. If there are no survivors, then it is possible the board would choose to cremate.

Mr. G.P. Etcheverry of the Nevada League of Cities, endorsed the concept of S.B. No. 186. Mr. Etcheverry said that perhaps this bill should also address the problem of border counties which have incurred medical bills on indigents with Utah and California hospitals.

Mr. Dan Fitzpatrick representing Clark County, said that Clark County endorses S.B. No. 186. Senator Bilbray and Senator Getto expressed concern about indigent accidents other than those involving motor vehicles. Mr. Fitzpatrick said that he could provide figures to the committee delineating what types of accidents occur to indigents in Clark County.

Ms. Jean Laird, state welfare division, said that she has prepared a fiscal note for S.B. No. 186 in the amount of \$500,000. Ms. Laird said that she was able to compile indigent medical cost estimates from 9 counties which totaled \$267,000. As there are 17 counties in Nevada, Ms. Laird doubled this total to arrive at the \$500,000 figure. Ms. Laird said that neither Washoe nor Clark counties were among the 9 which gave estimates. However, from information received through the planning section of the state department of transportation, Ms. Laird determined that more indigent accidents occur in the rural rather than the urban counties. Assembly Bill No. 11, Ms. Laird commented, only addresses the problem of non-

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state resident indigents, and this program would be administered by the state board of examiners rather than the state welfare division as is proposed in S.B. No. 186. Ms. Laird said the state board of examiners could more appropriately handle this type of fund as this entity already has a fund for tort claims.

SENATE BILL NO. 180 -- "Changes requirements concerning meetings of state welfare board and standing committees of medical care advisory group."

Mr. Bill Labadie of the state welfare division, said that the language change in Section 1, page 1, is suggested because there are times when four meetings per year are not necessary. Amendments to Section 2 also propose that meetings for advisory groups to the division be on call only when necessary. The advisory committees are required by federal law, and currently the meetings are held by call of the chairman. Mr. Labadie said that he would propose on page 2, line 13, that the word "and" be added prior to the phrase "administrator or director deems necessary." Mr. Labadie said that the division's concern is saving the expense of having unnecessary meetings because they are required in the statutes.

SENATE BILL NO. 181 -- Exhibit C.

Mr. Labadie said that under Title IV-E of the federal Social Security Act the division is required to begin limiting use of federal money for foster children.

Ms. Gloria Handley of the state welfare division, said that each state must enact a law which places a limit on the number of children who can receive funds under Title IV-E, who have been in care more than 24 months. Ms. Handley distributed copies of a revision for S.B. No. 181 (Exhibit D). Ms. Handley said that these revisions are necessary because when the federal regulations on this matter were received, the original version of the bill did not meet the regulation requirements.

Senator Bilbray said that the counties have expressed to him that they would like language in the bill to clarify that the financial burden of this program will not

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revert to the counties when the federal funding is no longer available. Ms. Handley said that this is already clarified in chapter 432 of the Nevada Revised Statutes. She said that it is the state and/or the federal government which is financially responsible for foster care of children.

Chairman Neal asked in regard to No. 2 of the proposed amendment to S.B. No. 181, Exhibit D, how the division arrived at the use of the "35 percent" as is follows:  
"2. Commencing October 1, 1983, no more than 35 percent of the total number of children who are eligible to receive maintenance payments from Title IV-E of the Social Security Act, shall have been in foster care in excess of 24 months." Ms. Handley said this percentage figure was based on the current 27 percent use of this funding, and the additional 8 percent was added as a "cushion" in case the case loads increase in the future. Mr. Labadie said this is difficult to predict because no one is certain what the actual case loads will be in 1983 when this bill becomes effective. Mr. Labadie said the welfare division would not object to increasing the percentage figure. However, the percentage should not exceed 50 percent, as this would not be acceptable to the federal government.

Chairman Neal asked the members of the committee to review the bills heard this date and suggest possible voting action.

S.B. No. 186 -- This bill was held until the related bill in the Assembly, A.B. No. 11, received committee action in the Assembly.

S.B. No. 181:

Senator Blakemore moved Do Pass and Amend S.B. No. 181 with the proposed amendment by the state welfare division as shown in Exhibit D, except to increase the percentage in paragraph 2 to 45 percent.

Senator Faiss seconded the motion.

Discussion: Senator Bilbray said that he would like to submit a memorandum from the Social Service Director of Clark County which would state for the record their concern about county liability for this program. (See Exhibit E.)

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S.B. No. 181 (Cont.):

The motion carried. (Senator Kosinski was absent for the vote.)

S.B. No. 180:

Senator Bilbray moved to Indefinitely Postpone S.B. No. 180.

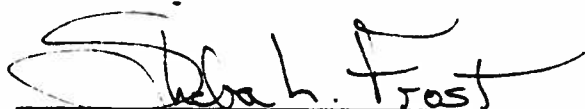
Senator Faiss seconded the motion.

The motion did not carry. (Senators Neal, Blakemore and Getto voted "No.")


Chairman Neal asked Senators Blakemore and Getto to contact the county representatives and develop coordinated amendments to S.B. No. 186.

There being no further business, the meeting adjourned at 9:25 a.m.

Respectfully submitted by:

  
Sheba L. Frost, Secretary

APPROVED BY:

  
Senator Joe Neal, Chairman

DATE: 3-4-81

SENATE AGENDA

EXHIBIT A

COMMITTEE MEETINGS

Committee on Human Resources and Facilities , Room 323 .

Day Tuesday , Date February 24 , Time 8:00 a.m. .

S. B. No. 180--Changes requirements concerning meetings of state welfare board and standing committees of medical care advisory group.

S. B. No. 181--Limits use of federal money for foster children.

S. B. No. 186--Provides state reimbursement of certain costs of hospital care for certain indigents injured in motor vehicle accidents.



ATTENDANCE ROSTER FORM

COMMITTEE MEETINGS

SENATE COMMITTEE ON HUMAN RESOURCES AND FACILITIES

DATE: FEBRUARY 24, 1981

EXHIBIT B

PLEASE PRINT NAME	PLEASE PRINT ORGANIZATION & ADDRESS	PLEASE PRINT TELEPHONE
Louise Klusek	Douglas County	782-5176
Bob Sullivan	Clermont River Basin CWC	895-4600
KEITH WATSON	N.S. WELFARE	
Nancy Zippin	Health Planning & Resources	885-4720
W. L. Johnson	Welfare	4771
May Shelton	Washoe County Welfare	785-5611
E. Thomas	W.C.W.S.	785-5611
Max Chilcote		945-5410

EXHIBIT C

SENATE BILL NO. 181

SECTION 432.040

EXHIBIT D

1. The non-federal share of all expenses for special services and maintenance provided to children and unmarried mothers pursuant to subsection 1 of NRS 432.020 must be paid from money which may be provided to the Welfare Division by direct legislative appropriation.
  
2. Commencing October 1, 1983, no more than 35% of the total number of children who are eligible to receive maintenance payments from Title IV-E of the Social Security Act, shall have been in foster care in excess of 24 months.
  
3. Commencing with the fiscal year beginning October 1, 1984, the Welfare Division will reduce the total number of children, who are eligible to receive maintenance payments from Title IV-E of the Social Security Act and who have been in foster care in excess of 24 months, by 1% each fiscal year



**Social Service**  
**BARBARA J. BRADY**  
SOCIAL SERVICE DIRECTOR  
851 SHADOW LANE  
LAS VEGAS, NEVADA 89108  
(702) 388-4271

EXHIBIT E

MEMORANDUM FOR: PATRICIA MULROY, MANAGEMENT ANALYST  
COUNTY MANAGER'S OFFICE

FROM: BARBARA J. BRADY, ACSW *BJB*  
SOCIAL SERVICE DIRECTOR

DATE: FEBRUARY 12, 1981

SUBJECT: SB 181

This bill provides a limitation on the use of federal funds by the Nevada Welfare Division for the provision of service and maintenance to foster children in the custody of the Welfare Division, who have been receiving special services and maintenance for more than 2 years. It would limit the use of federal funds to 47% of such children.

The change in the use of federal fund usage does not do away with the need for services. The bill does not indicate what is to be done to fund the need of those who will lose service because of the limitation on the use of federal funds. Will such persons be provided services with State funds or will the counties become liable for meeting their needs.

This bill should be opposed until there is a clarification that the counties will not become responsible for the funding of services no longer provided by federal funds.

BJB;JH:cc  
cc: W. Bajgier

**COMMISSIONERS**

Manuel J. Cortez, Chairman • David B. Canter, Vice-Chairman  
Robert N. Broadbent, Thelie Dondero, Jack R. Petitti, R.J. "Dick" Ronzone, Woodrow Wilson  
Bruce W. Spaulding, County Manager • Joseph C. Denny, Assistant County Manager