

## DISCLAIMER

Electronic versions of the exhibits in these minutes may not be complete.

This information is supplied as an informational service only and should not be relied upon as an official record.

Original exhibits are on file at the Legislative Counsel Bureau Research Library in Carson City.

Contact the Library at (775) 684-6827 or [library@lcb.state.nv.us](mailto:library@lcb.state.nv.us).

**ASSEMBLY COMMITTEE  
ON  
HEALTH AND HUMAN SERVICES**



**WORK SESSION DOCUMENT**

April 2, 2003

Prepared by

Marla McDade Williams  
Committee Policy Analyst  
Research Division

ORIGINAL EXHIBIT ON FILE AT THE  
LEGISLATIVE COUNSEL BUREAU LIBRARY

ASSEMBLY HEALTH AND HUMAN SERVICES  
DATE: 04/02 ROOM: 3138 EXHIBIT P1-6  
SUBMITTED BY: Marla McDade Williams



PREPARED BY  
RESEARCH DIVISION  
LEGISLATIVE COUNSEL BUREAU  
Nonpartisan Staff of the Nevada State Legislature

**WORK SESSION**  
**ASSEMBLY COMMITTEE ON HEALTH AND**  
**HUMAN SERVICES**

April 2, 2003

=====

The following measures will be considered for action during the work session:

- **Assembly Bill 112** (Requested by Ed Cotton, Administrator, Division of Child and Family Services, Nevada's Department of Human Resources, via the Legislative Committee on Children, Youth and Families)  
**Hearing—February 19, 2003**

*Requires examination by trained provider of health care of each child under age of 3 years who is reported as physically abused. (BDR 38-692)*

Representatives of the Division of Child and Family Services, Clark County, and Washoe County were unable to come to agreement on an amendment for this bill. Mr. Cotton has indicated that his division has the authority to implement the concepts contained in the bill through regulations, and it is his intent to work with Clark and Washoe County child welfare representatives to develop such regulations.

- **Assembly Bill 228** (Requested by the committee for Richard Daly, who is with Laborers International Union of North America Local 169)  
**Hearing—March 19, 2003**

*Requires certain major hospitals to reduce or discount total billed charge for hospital services for treatment of trauma to certain inpatients. (BDR 40-1048)*

Representatives of Washoe Medical Center oppose the bill, and the parties are unable to resolve their differences through an amendment.

- **Assembly Bill 349** (Requested by Assemblywoman Genie Ohrenschall)  
**Hearing—March 24, 2003**

*Makes various changes concerning older Nevadans. (BDR 38-973)*

The attachment on green paper is the proposed amendment.

- **Assembly Bill 395** (Requested by Assemblyman David E. Goldwater)  
**Hearing**—March 26, 2003

*Provides for assessment of fee on facilities for intermediate care and facilities for skilled nursing. (BDR 38-999)*

The attachment on blue paper is the amendment.

- **Assembly Bill 501** (On behalf of the Director's Office, Department of Human Resources)  
**Hearing**—March 31, 2003

*Makes various changes to provisions governing welfare and other programs of public assistance. (BDR 38-516)*

The attachment on pink paper is the proposed amendment.

MMW/rd:April 1.WS.HHS.2003

## Proposed Amendment by Assemblywoman Ohrenschall

### Assembly Bill No. 349

**Goal:** Removes the requirement of particular training and education for certain health care professionals and facilities and replaces it with provision directing certain regulatory boards to encourage their licensees to take training and education in geriatrics and gerontology as a part of their current continuing education requirement.

#### Suggested Amendments:

1. Delete the current section 1 and replace it with a provision that:

*Directs the Board of Medical Examiners and the State Board of Nursing to encourage their licensees who treat or care for persons who are more than 60 years of age to include, as a portion of their continuing training or education required for the renewal of their professional licenses, geriatrics and gerontology, including such topics as:*

*(a) The skills and knowledge that the person needs to address aging issues;*

*(b) Approaches to providing health care to older persons, including both didactic and clinical approaches;*

*(c) The biological, behavioral, social and emotional aspects of the aging process; and*

*(d) The importance of maintenance of function and independence for older persons.*

2. Leave section 2 as it is.
3. Adjust the effective dates in section 3 to make the whole bill effective July 1, 2003.
4. Adjust the title of the bill accordingly.

**CONCEPTS FOR A PROPOSED AMENDMENT TO  
ASSEMBLY BILL 395**

A conference call was held on Friday, March 28, 2003, between representatives of the Nevada Health Care Association (NHCA), on whose behalf Assembly Bill 395 was drafted, and representatives of the Division of Health Care Financing and Policy (DHCF&P) of Nevada's Department of Human Resources (DHR).

The participants in the call made the following recommendations to amend A.B. 395:

1. Ensure the measure does not apply to any Intermediate Care Facilities for the Mentally Retarded (ICFMRs).

*Representatives of the DHCF&P assert that Section 3 of the bill would require fees be assessed to ICFMRs since ICFMRs are not separately defined in NRS 449.0038. Representatives of the NHCA assert their intention is for the DHCF&P only to collect fees from nursing facilities and that 42 United States Code 1396b(w) permits a state to limit such fees to selected classes of providers. Further, representatives of the NHCA assert the class of providers to whom a fee will be assessed is identified in paragraph (a)(3) of 42 Code of Federal Regulations 433.56, and the fee will not be assessed against those providers that are identified in paragraph (a)(4) of 42 CFR 433.56. (A copy of Section 433.56 is attached.)*

Suggested language for this section is to amend Section 3 by deleting lines 10 and 11 and inserting the following:

*which meets the requirements of a general, other special hospital,  
or intermediate care facility for the mentally retarded pursuant to  
chapter 449 of NRS.*

2. Amend the bill to allow the DHCF&P to use a portion of the total amount of the proceeds of the fees for the purposes of administering the program. This portion is limited to not more than 1 percent of the proceeds of the fees and is subject to authorization by the Legislature.
3. Amend subsection 3 of Section 8 to specify that the proceeds of the fund must be used, to the extent possible under federal regulations, to match federal funds and increase rates paid to nursing facilities.
4. Delete subsection 4.

*The DHCF&P is unable to deposit federal funds into a separate account. Federal funds are only drawn when the expenditure is made. The suggested amendment contained in Item 3 above, which requires matching the tax proceeds to the extent possible, meets the intent of subsection 4.*

## SUGGESTED AMENDMENT FOR ASSEMBLY BILL 501

1. Delete Section 9.

*This change would require the Welfare Division to conduct domestic violence assessments rather than make it permissive despite the fact that there is no timeframe designated for such assessments.*

2. Delete Sections 11 through 14.

*These provisions are included in Assembly Bill 445, which was passed out of the committee and is now in the Assembly Committee on Ways and Means.*

3. At Section 22, on page 13, line 35, insert the words "or terminated" after the word "reduced."

*The Welfare Division notes that this term brings the bill in line with the provisions for termination that are included in subsection 1(d)(2) of the language that is being struck from the statute.*

4. In Section 23, on page 13 at line 43, delete the word "may" and leave the word "shall." In this same section on page 14 at line 21, delete the word "may" and leave the word "must."

*This change keeps the Kinship Care program intact but allows for the other changes to the program that were recommended in the bill. These provisions include eliminating the requirement to check criminal histories of grandparents because these checks are performed in any legal guardianship situation by the court and allowing the definition for "qual ifying relative" to be that used in the Code of Federal Regulations.*

5. Delete Sections 24 through 28.

*These provisions are included in Assembly Bill 445, which was passed out of the committee and is now in the Assembly Committee on Ways and Means.*