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VALERIE WIENER

SENATOR

Clark No. 3

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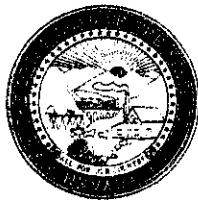
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State of Nevada Senate

Seventy-second Session

Memorandum

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Date: May 5, 2003

To: Chairman Koivisto and Members of the Committee on Health and Human Services

From: Senator Valerie Wiener

Subject: SB 307, Fetal Alcohol Syndrome

Attached you will find a sample of materials and letters that support warning of the risk of drinking alcoholic beverages during pregnancy.

ASSEMBLY HEALTH AND HUMAN SERVICES
DATE: 05/05 ROOM: 3138 EXHIBIT C1-9
SUBMITTED BY: Senator Valerie Wiener

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LEGISLATIVE COUNSEL BUREAU

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MEMORANDUM

DATE: March 27, 2003
TO: Senator Valerie Wiener
FROM: Robert E. Erickson, Research Director *Bob*
Research Division
SUBJECT: **Restaurants in Nevada Serving Alcoholic Beverages**

In response to your request, the Health Division of Nevada's Department of Human Resources reports that there are approximately 18,000 restaurants in the state. These restaurants range from elegant dining establishments, to cafes, to those featuring ethnic cuisine, to restaurants located in food courts, to McDonald's. The Research Division, after consulting with local restaurateurs, estimates that approximately 10,000 restaurants in Nevada serve alcoholic beverages.

Please let me know if I can be of any other assistance.

REE/dr:W33521

Terrence G. McGaw M.D., FACOG
Chairman, FAS Subcommittee
Vice-Chair, Maternal Child Health
Advisory Board

March 26, 2003

Chairman Rawson and
Members of the Human Resources and Facilities Committee

Dear Legislators,

You are scheduled to discuss the Fetal Alcohol Signage Bill (FAS), (SB 307 on Friday morning, March 28, 2003. This letter is submitted in support of that bill and on behalf of the FAS Subcommittee of the Maternal Child Health Advisory Board (MCHAB). This Subcommittee was formed in response to a legislative mandate in 1999.

Our committee addresses a real need in the state of Nevada regarding the incidence of fetal alcohol syndrome. Women in Nevada are more likely to drink, and to drink more frequently, than the national average. Reliable statistics regarding the number of women in Nevada who drink during pregnancy are unavailable for a number of reasons, including the reluctance of pregnant women to admit to drinking, but because women in Nevada generally drink more it can be reasonably assumed that pregnant women in Nevada drink more than the national average.

Reliable data regarding the number of children in Nevada who suffer from alcohol-related birth defects is also lacking, but reliable data would require expensive active surveillance methods, such as medical screening of Nevada schoolchildren for FAS. However, ignoring alcohol-related birth defects would be much more expensive. Alcohol-related birth injuries result in a number of conditions which incur very substantial expenses upon the state: FAS is the leading known cause of mental retardation in the United States. Those born with alcohol-related birth defects, of which FAS is the most severe, are more likely to have attention-deficit disorder, substance-abuse problems, engage in criminal activity, and be both victims and perpetrators of child sexual abuse.

As outlined in the text of SB 307 the FAS Subcommittee was charged with the responsibility of :

- a) defining the problem in Nevada;
- b) collecting more comprehensive data regarding FAS;
- c) creating a plan for public education; and
- d) creating a mechanism for professional education

The FAS Subcommittee, which is not funded to any significant degree, is composed of very dedicated individuals who give freely of their time without compensation to address an issue we all perceive to be important.

We have reviewed and approved the distribution of the "FAS Quiz Show" video to Clark County school nurses who are bringing the message to schoolchildren in a format to which they will respond. The videos were donated by March of Dimes and had been sitting idle until the committee took action. Several presentations have been and continue to be made throughout Nevada to various professional groups (e.g. hospitals, professional meetings) to build awareness of the issue.

We ardently supported the passage of a similar bill during the 2001 legislative session, SB 277, through educational materials sent to our then-legislators with monies the committee procured from the national office of the American College of Obstetricians and Gynecologists. SB 277 was passed in both the Senate and the Assembly, but a technical revision was made in the Assembly with regard to the required size of lettering in the warning signs. Unfortunately, the legislative session expired before conference committee could resolve the difference this created between the versions passed by the Senate and the Assembly. Although passage was not obtained, significant recognition of the issue was achieved.

The Health Division, the Nevada March of Dimes, and the Subcommittee have developed and distributed warning signs consistent with that specified in SB 307. We have sought voluntary compliance by alcohol retailers by providing the signs at no charge and requesting appropriate posting. So far we have had considerable success with remarkably positive feedback from merchants receiving the signs, but the fact that one does not consistently see these signs where alcohol is sold clearly indicates that voluntary posting is not sufficient.

The committee has spent innumerable hours in meetings trying to ascertain the scope of Nevada stakeholders in this issue so that we may foster a more coordinated effort in dealing with FAS. This extends all the way from initial prevention including public education and treatment for substance-abusing pregnant women, to diagnosis of alcohol-related birth defects, to treatment and rehabilitation resources for the unfortunate families who are dealing FAS and other alcohol-related birth defects.

The FAS Subcommittee has routinely been holding meetings in conjunction with the Perinatal Substance Abuse Prevention (PSAP) Subcommittee of the MCHAB to contain costs and to ensure coordination two subcommittees with overlapping concerns. As a result of this alliance both committees now agree that merging them into one would be most beneficial and sensible while keeping the goals of both committees in mind. For this reason, the FAS Subcommittee also supports the portion of SB 307 which eliminates the requirement that the MCHAB have a separate FAS Subcommittee.

The FAS Subcommittee has demonstrated commitment, direction and purpose in its approach to the issues it is mandated to address. Through its merge with the PSAP Subcommittee, it is anticipated that planned strategies to seek grant funding and to organize statewide to address FAS may be more successful. This then will allow the implementation of a professional education component as well as development of better databases.

From what we have learned so far, FAS in Nevada is an "iceberg" issue and we have only seen the "tip". We firmly believe that Nevada cannot afford to blissfully ignore the issue any longer – the cost in lives and money is much too great.

Please support SB 307 in its entirety. We owe it to our citizens.

Respectfully submitted,



Terrence G. McGaw M.D., FACOG

Nevada State Medical Association

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LAWRENCE P. MATHEIS, Executive Director

May 5, 2003

The Honorable Ellen Koivisto
Chair-Assembly Committee on Health and Human Services
Nevada Assembly
401 S. Carson Street
Carson City, NV 89701

Dear Assemblywoman Koivisto:

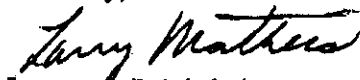
The Nevada State Medical Association (NSMA) supports two bills, which the Committee has under consideration today. These are S.B. 307 and S.B. 287.

There is a growing medical consensus regarding the causes and extent of Fetal Alcohol Syndrome (FAS) as an issue of childhood health. Under the leadership of Senator Valerie Wiener, the Legislature has taken a series of actions during the past several Legislative Sessions to begin addressing the issues associated with reducing the occurrence of FAS in our State. S.B. 307 (Requires posting of signs in certain food establishments warning of risk of drinking alcoholic beverages during pregnancy and merges Advisory Subcommittee on Fetal Alcohol Syndrome into Advisory Board on Maternal and Child Health.) moves Nevada further in dealing positively with FAS. The NSMA supports the measure and is committed to assisting in its implementation.

Arthritis is a growing issue affecting the lives of at least 10% of Nevadans. With a significant senior population, it is necessary to acknowledge the importance of arthritis as a major, and growing, cause of disabilities. Nevada, over the past few years has begun to develop the capacity to address chronic disease issues, including Diabetes and Cancer. Arthritis is beginning to be acknowledged as being of the same order of importance to Nevadans. The NSMA supports S.B. 287 (Establishes Arthritis Prevention and Control Program to increase public awareness of and educate persons on matters relating to arthritis.) which would create a resource to begin addressing arthritis as a serious health issue for Nevadans. The NSMA is committed to assisting in the development of these efforts.

I regret that an unavoidable conflict precluded my attendance at your hearing today.

Sincerely,



Lawrence P. Matheis
Executive Director

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Patterns: 15% in Study Drank in Pregnancy

By ERIC NAGOURNEY

Fifteen percent of pregnant women surveyed as they waited in clinics for prenatal care said they had drunk alcohol during pregnancy, a new study reports.

Given the evidence that alcohol use can cause birth defects, doctors should do a better job of telling women about the risks, said the study, which is in the journal *Alcoholism: Clinical and Experimental Research*.

The lead author, Dr. Heather A. Flynn of the University of Michigan, described the results as generally encouraging. "I think actually I'm optimistic about the findings," she said. "The majority of women were not drinking at all."

More than 1,100 women filled out questionnaires at eight obstetrics clinics in Michigan. Most said they had had fewer than one drink a week, but some said they drank regularly. And 7 percent said they had engaged in binge drinking (five or more drinks) at least once.

Whether any alcohol consumption in pregnancy is acceptable is a matter of debate. In the survey, only about half the women recalled their doctors' talking to them about the issue. But given the uncertainties, some say it is best to play it safe.

"I think the message we want to send is, Stopping at some point in pregnancy is better than continuing throughout pregnancy," Dr. Flynn said.

The study found no real difference between women who drank and those who did not in terms of marital status, for example, or education. But it did

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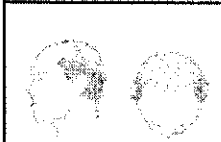
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