

**MINUTES OF THE MEETING  
OF THE  
ASSEMBLY COMMITTEE ON COMMERCE AND LABOR**

**Eighty-Second Session  
March 3, 2023**

The Committee on Commerce and Labor was called to order by Chair Elaine Marzola at 1:33 p.m. on Friday, March 3, 2023, in Room 4100 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda [[Exhibit A](#)], the Attendance Roster [[Exhibit B](#)], and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at [www.lg.state.nv.us/App/NELIS/REL/82nd2023](http://www.lg.state.nv.us/App/NELIS/REL/82nd2023).

**COMMITTEE MEMBERS PRESENT:**

Assemblywoman Elaine Marzola, Chair  
Assemblywoman Sandra Jauregui, Vice Chair  
Assemblywoman Shea Backus  
Assemblyman Max Carter  
Assemblywoman Bea Duran  
Assemblywoman Daniele Monroe-Moreno  
Assemblywoman Selena Torres  
Assemblyman Steve Yeager  
Assemblywoman Melissa Hardy  
Assemblywoman Heidi Kasama  
Assemblyman P.K. O'Neill  
Assemblyman Toby Yurek

**COMMITTEE MEMBERS ABSENT:**

None

**GUEST LEGISLATORS PRESENT:**

Assemblyman Gregory T. Hafen II, Assembly District No. 36

**STAFF MEMBERS PRESENT:**

Marjorie Paslov-Thomas, Committee Policy Analyst  
Spencer Wines, Committee Secretary  
Garrett Kingen, Committee Assistant



**OTHERS PRESENT:**

Ryan Mucchio, President-elect, Board of Directors, NyE Communities Coalition  
Stacy Smith, Chief Executive Officer, NyE Communities Coalition  
Chris Hall, Chief Operations Officer, Remote Area Medical  
Susan Fisher, representing Nevada Orthopaedic Society  
Wiz Rouzard, Deputy State Director, Americans for Prosperity  
Trevor Parrish, Manager, Government Affairs, Vegas Chamber  
Jerry Matsumura, M.D., representing Nevada State Society of Anesthesiologists  
Donna Laffey, representing Dignity Health-St. Rose Dominican  
Deme Gonzalez, Executive Director, Adopt a Vet Dental Program

**Chair Marzola:**

[Roll was called, and protocol was reviewed.] I will now open the hearing on Assembly Bill 120 which revises certain provisions governing voluntary health care services. It is being presented by Assemblyman Hafen and you can start when you are ready.

**Assembly Bill 120: Revises certain provisions governing voluntary health care service.  
(BDR 54-177)**

**Assemblyman Gregory T. Hafen II, Assembly District No. 36:**

I am sure you all want to get out of here soon. I will try to expedite the process. [Read from Exhibit C.] You have in front of you Assembly Bill 120. Under existing law, *Nevada Revised Statutes 629.450*, there is currently a prohibition for health care providers who have not actively practiced their profession continuously for the immediately preceding three years from providing voluntary health care services in association with a sponsoring organization such as the Remote Area Medical program (RAM). This statute prohibits the volunteers, specifically those who are recent graduates from medical schools, from continuing to volunteer their services in the rural parts of the state.

I would like to give a little bit of background information and an example of how this has been impacting our communities. In rural Nevada, there was a University of Nevada, Las Vegas dental provider who volunteered for RAM as a dental student and came back to try to volunteer for the RAM program upon graduation. However, under this statute, he no longer qualified to provide volunteer services to our community.

As I noted [page 2, Exhibit C], residents throughout Nevada, especially in the rural areas, benefit from these free pop-up medical clinics. In Pahrump, citizens have come to these pop-up clinics sponsored by RAM to receive dental work. One example I want to touch on, and I am not going to use her name, but we had a lady who had kidney failure and needed a kidney transplant. Prior to being eligible for surgery, she had to have multiple teeth extracted before they could provide the transplant surgery. Though the transplant surgery was covered under her medical insurance, the dental procedure was not, and she could not afford to have her teeth pulled. She went to the RAM organization. Most of these individuals camp out the night before. They show up 12 to 14 hours beforehand; they sleep

there so they can get this much-needed service. She was able to have the kidney surgery that she needed after getting the free dental services of having her teeth extracted.

Subsection 2(c) of section 1 of this bill removes the restriction that a provider of health care who has not actively practiced his or her profession continuously for the immediately preceding three years from providing voluntary health care. By removing this restriction, it ultimately allows qualified health care providers to volunteer their services in association with sponsoring organizations. It is critical for these organizations to have volunteers.

I want to stray from my prepared remarks and just give a more personal story. As some of you know, my brother is a doctor in Las Vegas. He went to medical school, college, residency, and fellowship. With everything said and done, he had 12 years of medical training. He comes back to Las Vegas and at the time, he was working at the University Medical Center when 1 October occurred. He was immediately called in and saw the worst of the worst patients in the critical care unit. He was looking for a way to volunteer after that experience because he, like many of us, was touched and saw the importance of giving back to our community. Under current law, he would not be allowed to volunteer his services three years after graduating from school but could treat patients during the 1 October event.

For me this is personal. I would love to see this prohibition end to allow our medical providers to be able to volunteer their time—the ones who are eligible to work in this community and work in this state. Today I mentioned the RAM program. They are such a wonderful group. They are in Tonopah today giving free medical, dental, and vision services. I have some of them with me via Zoom. Ryan Muccio, who is the president-elect of the NyE Communities Coalition, and Stacy Smith, the CEO of the NyE Communities Coalition in Pahrump. They are here to provide a little additional information and answer any questions that the Committee may have.

**Ryan Muccio, President-elect, Board of Directors, NyE Communities Coalition:**

We have hosted a total of eight Remote Area Medical clinics including this one in Tonopah. With me today, I have our Chief Executive Officer (CEO) Stacy Smith and Remote Area Medical Chief Operating Officer (COO) Chris Hall. As Assemblyman Hafen mentioned, we are in Tonopah setting up the clinic, getting ready to serve the members of Tonopah this weekend with free medical, dental, vision, and mental health care.

A quick background, Remote Area Medical provides free quality health care to anyone in need. No questions asked. I would like to especially thank Assemblyman Hafen for sponsoring this bill and his persistence and recognition of how important this proposed change is to our rural Nevada communities. Echoing what Assemblyman Hafen has stated, I personally had the difficult task of calling that dentist whom we had to turn away from volunteering his time. To turn away a fully licensed dentist who could have filled a critical need in our community was a very hard call to make. It left the dentist feeling discouraged and upset at a broken system. He just could not understand why, as a fully licensed dentist who can charge people for care, he could not volunteer his time. I truly hope that the members of this Committee can recognize the need for this change to open up the access to

quality health care in our state. I am going to let Stacy Smith, our CEO, present some information on why volunteer medical clinics like Remote Area Medical are so critical and important to our rural communities.

**Stacy Smith, Chief Executive Officer, NyE Communities Coalition:**

We have done seven years of these events; we are working on our eighth one today. We plan on offering another RAM in Pahrump come October. Like much of Nevada, the rural communities that we serve are medically underserved. If you look at the federal health designation, you will find that Nye County specifically and several other rural counties meet the qualification of medically underserved for both our primary care, our medical services, our psychiatric services, and of course our dental services. I think all of us see this. Even though that designation rests with a lot of the rurals that I interact with, I know that is true for much of Clark County also. We are seeing this in our primary care services in Nye County. Even if someone has insurance, they are not able to always access care because of the lack of medical providers. I have had multiple people over the years that we have provided this Remote Area Medical event tell me that this was their one medical appointment for the year. That is what they do. They use it. This is nothing that we want to be happening, but I am glad and thankful to be able to even offer it to them. Many of the people who have attended the Remote Area Medical in Pahrump have talked about the services they received as being high quality and they feel like they are getting treated well and they have been able to go ahead and have follow-up.

One of the things that we are very invested in is making sure that if there are any needs post-event that we work closely with RAM. We work closely with our providers who are local that come to a RAM event and we make sure that we have follow-up care for the people who are coming so that it is not just a one and done. The change in this would really allow us to provide even more services, which is key to the communities that we serve. I really appreciate your consideration of this. I am going to turn it over to Chris Hall, the COO of Remote Area Medical.

**Chris Hall, Chief Operations Officer, Remote Area Medical:**

We are honored to come into the state of Nevada to be able to provide the services. As Ryan said, we have provided services in Pahrump for seven years, working on our eighth year this year. This is our first time serving in Tonopah. The way that we are able to do this is using a network of providers, and in Nevada it is a majority of the providers in your state. You have wonderful programs and professional schools in Las Vegas and Reno. Those students who participated with their schools were able to provide the quality services. Once they graduate, that three-year wait period gives them time to work in their practices but not do that from a volunteer side. That is the prime time for those students to really get involved into delivering care that costs the patients nothing. The provider provides their time to do this. Having a change in this law allowing those recent graduates who are currently licensed professionals inside the state to provide care kind of entuses those students that just became professionals. It gets them involved in rural communities and it brings access to care to places that would not have it.

Being here in Tonopah this weekend with the providers that we have, there are only so many patients we can see based on the number of providers we have. If we could not limit the pool of providers and be able to add two or three more providers in every specialty or every area, those are more patients that we can treat while we are here and hopefully leave them feeling much better once this weekend is finished.

**Assemblyman Hafen:**

I want to thank Chris Hall today. He is taking time while setting up for the RAM event in Tonopah to be with us remotely.

**Chair Marzola:**

I have a couple of questions, but I will go to Committee members first.

**Assemblywoman Jauregui:**

I remember this bill very clearly as Assembly Bill 81 of the 81st Session and as I read it, it is the exact same bill, and the same concerns I had in 2021 are the same concerns I still have now. I just want to make sure I am sharing those with you again just so that we have a record. By removing the language then we are not just addressing the recent graduate language, we are also still having that same issue that we presented to you last session, by removing that requirement that someone has practiced as an active participant in the field in the last three years. We still have that possibility of someone who has not practiced in five to seven years, even though they have a license in good standing. You know, there is new technology that comes out, there are new advancements. What is protecting the consumer? I do want to bring access to people in Nevada. I want to bring health care access, but I also want to make sure that we are protecting them as well. If someone has not practiced in seven years and they come to one of these events as a voluntary health care provider and something goes wrong, what kind of recourse do these patients have?

**Assemblyman Hafen:**

As you stated, these individuals are fully licensed in this state or another state, which means that they are continuing to go to continuing ed classes. You are not going to keep your license and spend thousands of dollars to continue to have privileges just because. They are fully licensed in that manner. In addition to that, the Department of Health and Human Services (DHHS) has a very extensive vetting process to allow these individuals to volunteer, especially for those that are coming in from out of state. Department of Health and Human Services is going to fully vet these individuals before they are allowed to volunteer their time to make sure they do not have something on their record previously that could cause a potential problem. Regarding the individuals who are currently licensed in the state of Nevada, there is nothing stopping them from going to work and hanging a shingle tomorrow, even if they have not practiced for five years. There is nothing stopping them from going to the RAM organization and getting paid for their services. All this is saying is that instead of getting paid, they are allowed to volunteer their time and provide free medical services.

**Assemblywoman Jauregui:**

Yes, but as a paid professional, if they go and hang their license up and start actively being paid, then they are liable to the patient. As a volunteer, they are fully immune. I remember having this discussion as well and you are saying the same thing, that DHHS has a full vetting process. Do we have Director Whitley, or DHHS, here to answer some questions on where they stand and what that vetting process looks like? Do you have anyone from DHHS? [Assemblyman Hafen motions no.] I know we had asked last session during this hearing as well to get information from DHHS on what that vetting process looks like. Again, those were concerns that we heard last session. What does that vetting process look like for doctors who are coming in from out of state? If we remove this requirement and we do not need to verify, there is nothing to say that somebody does not have a malpractice lawsuit in another state. Now they are coming to volunteer in Nevada where they have full immunity as a volunteer health care provider.

**Assemblyman Hafen:**

Just for clarification, that part was not asked last session. I have the minutes right here.

**Assemblywoman Jauregui:**

I believe you and I and Speaker Frierson had a discussion about this and he had asked for you to provide some information from DHHS about the vetting process. I could be wrong, but I did rewatch the hearing as well.

**Assemblywoman Backus:**

I am glad you explained about the recent graduate. I did not know, when I looked at A.B. 120, what the intent was. Is it easier to just do an exception for students? When I looked at this bill, I was thinking, like my colleague, of the slippery slope of a provider—someone who is older and returning to provide volunteer health care while not being capable of providing adequate care. I went down the slippery slope of looking at the legislative history of the enactment. Then you threw me off with your brother's example. I thought your brother was an active licensed intensive care unit (ICU) doctor. I did not know how that fit in and how you were trying to utilize that to exempt subsection 2(c) of section 1 as opposed to just doing a carve-out for recent graduates. Can you explain that?

**Assemblyman Hafen:**

At the time of 1 October, he was within that three-year period and was not allowed volunteer time. I apologize for not clarifying that sooner. He was allowed to be in the ICU, treating patients and being compensated for that. What was the second part of your question?

**Assemblywoman Backus:**

With respect to subsection 2(c), instead of striking the whole provision to protect against what my colleague was indicating, is it possible to just simply do an exception for those who recently graduated and who have not been able to actively practice for three years?

**Assemblyman Hafen:**

I am open to the amendment, and we can talk about that offline if you would like to.

**Ryan Muccio:**

I would like to address the Committee members' concerns regarding patient recourse. The patients absolutely do have recourse as the providers and Remote Area Medical require and carry professional liability insurance. There is recourse and protection. Additionally, the DHHS requirements are checking for out-of-state malpractice or any flags. They have been incredibly great at that process. Stacy Smith can expand on that because she works directly with them in that area, but they fully vet every single provider, whether they are out of state or in state. They are checking for any issues that may arise.

**Stacy Smith:**

When someone is signing up for Remote Area Medical, the sign-in goes on through the ramusa.org. It goes to RAM initially and they do their screenings, they pull license numbers, and they do their own checks of that person. They then send the complete list to me, and I submit it to the state with our application and with the amendment process, depending on where we are at in the process. Those names go on to the state and then they do their systems check. There are two levels—the out-of-state process where it is done, and once it gets here within the state, it is checked.

**Assemblyman Yeager:**

I do not know if somebody has this information today. If not, I would just like to know, do we have any statistics around how many providers are in state versus out of state? What is the breakdown between folks who are in the state of Nevada already qualifying under this and providing voluntary health care versus folks who are coming from other states and taking advantage of this? We had a little bit of discussion about the vetting that takes place and I wondered if there are any numbers on that. I do not know if we are talking about 5 people or 500 people. It would help me get my mind around what the context is behind the bill.

**Assemblyman Hafen:**

We do not have those numbers with us today, but I am more than happy to talk to DHHS about that. In addition, I will get the vetting that DHHS currently provides and provide that to the Committee.

**Assemblywoman Kasama:**

We certainly want to get more people out there serving with our providers. My question for you is, has this passed in other states and is this already allowed in other states? Do you know if there is a history of this in other places and how has that been working there?

**Chris Hall:**

We are going to be in 17 different states operating clinics around the country. The only state that requires a three-year practicing rule is the state of Nevada. The same weekend that we are here in Tonopah, we are doing an event in Tennessee. We have providers coming from 15 different states to come in and provide services for that event. There is no restriction on the three years. We are able to recruit students that have been volunteering in previous years that are now fully licensed and are able to practice in the first three years no matter where

they are in the United States, as long as their licenses are in good standing and there is no pending action against their license.

That is also addressing some of the vetting questions that were coming. Remote Area Medical goes through a full vetting process of every professional who registers to volunteer and then works with each community partner and state to ensure that those licenses are vetted before a provider can provide services inside the state.

**Chair Marzola:**

Does anyone have any additional questions? [There were none.] Are you able to submit specific language of how RAM vets these medical providers as they are coming in?

**Chris Hall:**

Absolutely, we could submit the whole process. I do not have that here with me while I am in Tonopah. I will be back in my office on Monday. I can have that submitted as soon as Monday.

**Chair Marzola:**

Anyone have additional questions? I do not see any. I will open up for testimony in support of Assembly Bill 120. Is anyone here in Carson City wishing to give support testimony?

**Susan Fisher, representing Nevada Orthopaedic Society:**

I want to say that we support this bill. We thank Assemblyman Hafen for bringing it forward.

**Wiz Rouzard, Deputy State Director, Americans for Prosperity:**

On behalf of more than 100,000 Americans for Prosperity activists across the county, I urge you to support A.B. 120 which would remove restrictions currently prohibiting a provider of health care who has not actively practiced continually for the immediately preceding three years to actually be able to provide voluntary health care services in the state in association with sponsoring organizations. As one of the largest grassroots organizations in this state, and our country, we work to advocate policies that empower every person to earn success, contribute to his or her community, and live a productive, meaningful life.

The lessons of the pandemic showed us that although we may have one of the best health care systems in the world, barriers highlighted by this bill show that our state currently stifles health care providers from being of service and of innovation. To support A.B. 120 is to support a policy that we believe empowers our health care system to deliver better care to Nevadans. This bill allows providers of health care the freedom to compete and offer the best health care products and services at the best prices or charitable vehicles that help patients meet their needs.

I will also add that as a UNLV graduate, when I was playing football there were a lot of football athletes who were on tight funds who went down to volunteer facilities for dental work and health care services. When I was a small business owner across from UNLV, I had



a homeless person who had an abscess. I drove him over to a volunteer facility off Martin Luther King Boulevard in Las Vegas and we waited for an hour and a half because not a lot of people were providing those services. I believe A.B. 120 would allow more bodies and more charitable hearts in our community to serve our community.

**Trevor Parrish, Manager, Government Affairs, Vegas Chamber:**

The Chamber is in support of A.B. 120. We believe that this bill will be another important tool to help address our doctor shortage in Nevada. This bill will help assist in providing services to medically underrepresented communities.

**Jerry Matsumura, M.D., representing Nevada State Society of Anesthesiologists:**

Our organization is a big advocate for patient safety. After our review of this bill we believe that paragraphs (a) and (b) provide enough safety to allow for the removal of subsection 2(c). Our Society is in favor of A.B. 120.

**Donna Laffey, representing Dignity Health-St. Rose Dominican:**

We, too, support this bill and we have submitted a letter of support [[Exhibit D](#)].

**Chair Marzola:**

Anyone else wishing to give support in Carson City? [There was no one.] Anyone in Las Vegas wishing to give support testimony?

**Deme Gonzalez, Executive Director, Adopt a Vet Dental Program:**

I thank you for the opportunity to speak on our explicit support for A.B. 120 that will have a significant impact on the nonprofit community. I am the director of an organization that depends on pro bono dentists to provide pro bono dental care to thousands of veterans. We would not come close to our yearly goals if it were not for those that continue to give their support for these types of programs. I can tell you that it is life-changing. Most of our dentists who are not active are retired. We are unable to use dentists who just came out of dental school. It would open up more opportunities for our veterans to be taken care of.

I am also the chair for the Community Coalition of Oral Health. It is a 24/7 job. We support this bill.

**Chair Marzola:**

Is there anyone else in Las Vegas wishing to offer support testimony of Assembly Bill 120? [There was no one.] Is there anyone wishing to provide testimony in opposition of Assembly Bill 120? [There was no one.] Is there anyone wishing to provide testimony in neutral of Assembly Bill 120? [There was no one.] Assemblyman Hafen, would you like to give some closing remarks?

**Assemblyman Hafen:**

In addition to thanking you, I want to thank those that testified in support and for some of the personal stories that were provided. There were some that I was not aware of but were very touching to hear, especially about the benefits that are being provided through all our various

nonprofit organizations that provide these services to our veteran population. I want to take a moment to thank them for their testimony. In addition to that, as I stated earlier, I will provide the vetting process through DHHS, as well as the number of providers in Nevada versus out of state. I will work with the Assemblywoman on a possible amendment.

[[Exhibit E](#), [Exhibit F](#), [Exhibit G](#), [Exhibit H](#), [Exhibit I](#), [Exhibit J](#), [Exhibit K](#), [Exhibit L](#), [Exhibit M](#), [Exhibit N](#) were submitted but not discussed and will become part of the record.]

**Chair Marzola:**

I will now close the hearing on Assembly Bill 120. I will now open it up for public comment. [There was none.] Our next meeting will be on Monday, March 6, at 1:30 p.m. We are adjourned [at 2:08 p.m.].

RESPECTFULLY SUBMITTED:

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Spencer Wines  
Committee Secretary

APPROVED BY:

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Assemblywoman Elaine Marzola, Chair

DATE: \_\_\_\_\_

## EXHIBITS

[Exhibit A](#) is the Agenda.

[Exhibit B](#) is the Attendance Roster.

[Exhibit C](#) is written testimony presented by Assemblyman Gregory T. Hafen II, Assembly District No. 36, regarding [Assembly Bill 120](#).

[Exhibit D](#) is a letter dated February 27, 2023, submitted by Jon Van Boening, representing Dignity Health-St. Rose Dominican, in support of [Assembly Bill 120](#).

[Exhibit E](#) is a letter dated February 24, 2023, submitted by Wendy Madison, Executive Director, Healthy Communities Coalition, in support of [Assembly Bill 120](#).

[Exhibit F](#) is a letter dated February 24, 2023, submitted by Beth W. Ennis MS, APRN, FNP-BC, Private Citizen, Tonopah, Nevada, in support of [Assembly Bill 120](#).

[Exhibit G](#) is an email dated February 24, 2023, submitted by Bonnie L. Stolzman DNP, MBA, MSN, RN, Chief Nursing Officer, Desert View Hospital, Pahrump, Nevada, in support of [Assembly Bill 120](#).

[Exhibit H](#) is a letter dated February 24, 2023, submitted by Misha Allen M.A., Extension Educator, College of Agriculture, Biotechnology and Natural Resources, University of Nevada, Reno, in support of [Assembly Bill 120](#).

[Exhibit I](#) is a letter dated February 24, 2023, submitted by Tim Sutton, Nye County Manager, Administration Department, Pahrump, in support of [Assembly Bill 120](#).

[Exhibit J](#) is a letter dated February 27, 2023, submitted by Susan Fisher, representing the Nevada State Society of Anesthesiologists, in support of [Assembly Bill 120](#).

[Exhibit K](#) is a letter dated February 24, 2023, submitted by Fermin Leguen M.D., MPH, District Health Officer, Southern Nevada Health District, in support of [Assembly Bill 120](#).

[Exhibit L](#) is a letter dated February 23, 2023, submitted by Joseph Westerlund, Town Manager, Tonopah, in support of [Assembly Bill 120](#).

[Exhibit M](#) is a letter dated February 23, 2023, submitted by Ronnie Najarro, State Director, Americans For Prosperity-Nevada, and Wiz Rouzard, Deputy State Director, Americans for Prosperity-Nevada, in support of [Assembly Bill 120](#).

[Exhibit N](#) is a letter dated March 3, 2023, submitted by Marcos Lopez, Outreach and Coalitions Director, Nevada Policy Research Institute, in support of [Assembly Bill 120](#).