

Senior Citizens, Veterans and Adults With Special Needs

BULLETIN NO. 15-11



**LEGISLATIVE COMMITTEE ON SENIOR CITIZENS,
VETERANS AND ADULTS WITH SPECIAL NEEDS**

BULLETIN NO. 15-11

JANUARY 2015

TABLE OF CONTENTS

	<u>Page</u>
Summary of Recommendations	iii
Report to the 78th Session of the Nevada Legislature by the Legislative Committee on Senior Citizens, Veterans and Adults With Special Needs	1
I. Introduction	1
II. Committee Activities	2
III. Discussion of Major Issues Resulting in Legislation or Other Committee Action.....	3
A. Employment of Adults With Special Needs.....	3
B. Medical and Other Related Facilities	4
C. Health Care Decisions	6
D. Services for Senior Citizens and Adults With Special Needs.....	6
E. Services for Persons who are Deaf or Hard of Hearing	6
F. Services for Persons who are Blind or Visually Impaired.....	8
IV. Concluding Remarks	8
V. Appendices	9

SUMMARY OF RECOMMENDATIONS

LEGISLATIVE COMMITTEE ON SENIOR CITIZENS, VETERANS AND ADULTS WITH SPECIAL NEEDS

Nevada Revised Statutes 218E.750

This summary presents recommendations approved by the Legislative Committee on Senior Citizens, Veterans and Adults With Special Needs at its final work session meeting on August 15, 2014. The bill draft requests (BDRs) will be submitted to the 78th Legislative Session for its consideration in 2015.

RECOMMENDATIONS FOR LEGISLATION

1. Draft a bill to require the Aging and Disability Services Division (ADSD), Department of Health and Human Services (DHHS), in its application process for Jobs and Day Training providers, to give preference to applicants who employ persons with disabilities at or above minimum wage. **(BDR 39-416)**
2. Draft a bill to improve resident care in skilled nursing facilities by:
 - a. Establishing staffing ratios in skilled nursing facilities of 4.1 hours of direct care per resident, comprising 2.8 hours for certified nursing assistants and 1.3 hours for licensed staff, as recommended by the National Consumer Voice for Quality Long-Term Care; and
 - b. Establishing a maximum time of 20 minutes by which staff of a nursing facility must respond to a resident's request for assistance through the use of a call light. **(BDR -417)**
3. Draft a bill to create a Power of Attorney for Health Care Decisions for persons with intellectual or developmental disabilities. This form would be different from the Power of Attorney for Health Care Decisions form set forth in *Nevada Revised Statutes* (NRS) 162A.860. The new form would enable adults over 18 years of age with intellectual or developmental disabilities to receive assistance in making medical decisions. **(BDR 13-418)**
4. Draft a bill to broaden the scope of the Program to Provide Devices for Telecommunication to Persons With Impaired Speech or Hearing by amending the statutes (primarily Chapter 427A ["Services to Aging Persons and Persons With Disabilities"]) of NRS) to include assistance services and a nonexclusive list of activities in which the service centers may engage. **(BDR 38-419)**
5. Draft a bill to establish an advisory board to assist the ADSD in the oversight of interpreters as set forth in Chapter 656A ("Interpreters and Realtime Captioning Providers") of NRS. **(BDR 54-420)**

RECOMMENDATIONS FOR COMMITTEE LETTERS

6. Send a letter to the Governor, the DHHS, the Department of Employment, Training and Rehabilitation (DETR), and the Department of Education in support of Executive Order 2014-16, “Establishing the Governor’s Taskforce on Integrated Employment,” for persons with intellectual and developmental disabilities.
7. Send a letter to the Governor, the Senate Committee on Finance, and the Assembly Committee on Ways and Means in support of the request for seven new positions in the Rehabilitation Division, DETR, budget for Fiscal Year 2016–2017.
8. Send a letter to the Senate Committee on Finance and the Assembly Committee on Ways and Means in support of maintaining efforts by the Rehabilitation Division, DETR, to maximize federal funding for integrated employment.
9. Send a letter to the Governor, the Senate Committee on Finance, and the Assembly Committee on Ways and Means in support of increasing the Medicaid reimbursement rate for providers of Jobs and Day Training in the *Executive Budget* for the 2015–2017 Biennium.
10. Send a letter to the DHHS in support of additional positions within the Bureau of Health Care Quality and Compliance, Division of Public and Behavioral Health, for the purpose of conducting inspections at medical and other related facilities.
11. Send a letter to the DHHS in support of increased funding for the State Long-Term Care Ombudsman Program in the *Executive Budget* for the 2015–2017 Biennium.
12. Send a letter to the DHHS in support of an ADSD budget request to update the strategic plans for senior citizens and persons with disabilities, including a revised Nevada *Olmstead* plan, in the *Executive Budget* for the 2015–2017 Biennium.
13. Send a letter to the Governor, the DHHS, the Senate Committee on Finance, and the Assembly Committee on Ways and Means in support of increased funding of approximately \$500,000 for independent living services in the ADSD budget for the 2015–2017 Biennium.

RECOMMENDATIONS FOR STATEMENTS IN THE FINAL REPORT

14. Include a statement in the final report in support of legislation similar to the Caregiver Advise, Record, Enable (CARE) Act.

**REPORT TO THE 78TH SESSION OF THE NEVADA LEGISLATURE BY
THE LEGISLATIVE COMMITTEE ON SENIOR CITIZENS,
VETERANS AND ADULTS WITH SPECIAL NEEDS**

I. INTRODUCTION

The Legislative Committee on Senior Citizens, Veterans and Adults With Special Needs, in compliance with *Nevada Revised Statutes* (NRS) 218E.750 through 218E.770 (Appendix A) evaluates and reviews a broad spectrum of issues related to senior citizens, veterans, and adults with special needs including, but not limited to: (1) financial and physical wellness; (2) abuse, neglect, isolation, and exploitation; (3) services to promote independent living; (4) guardianship; and (5) improvement of long-term care facilities.

Members

For the 2013–2014 Interim, the Legislative Commission appointed the following members to the Legislative Committee on Senior Citizens, Veterans and Adults With Special Needs:

Assemblywoman Teresa Benitez-Thompson, Chair
Senator Patricia (Pat) Spearman, Vice Chair
Senator Mark A. Hutchison
Senator Mark A. Manendo
Assemblywoman Ellen B. Spiegel
Assemblyman Jim Wheeler

Staff

The following Legislative Counsel Bureau (LCB) staff members provided support for the Committee:

Kirsten Coulombe, Senior Research Analyst
Marsheilah D. Lyons, Supervising Principal Research Analyst
Heidi A. Chlarson, Principal Deputy Legislative Counsel
James W. Penrose, Senior Principal Deputy Legislative Counsel
Tarron L. Collins, Senior Research Secretary
Maysha Watson, Senior Research Secretary

Prior Legislation

Regarding bill draft requests (BDRs) submitted to the 77th Legislative Session, a summary of the status of the recommendations for legislation made by the Committee during the 2011–2012 Interim is attached as Appendix B.

II. COMMITTEE ACTIVITIES

During the 2013–2014 Interim, the Committee met four times (January 15, May 21, July 9, and August 15, 2014) in the Legislative Building in Carson City, Nevada. All meetings were videoconferenced to the Grant Sawyer State Office Building in Las Vegas, Nevada. A summary of testimony and exhibits are available online at the Committee’s webpage: <http://www.leg.state.nv.us/Interim/77th2013/Committee/StatCom/SeniorVetSpecial/?ID=62>.

The Committee heard presentations on services available to seniors, such as Medicaid waivers, senior centers, and public transportation. There was also discussion on skilled nursing facilities related to the roles of ombudsmen, inspection processes, and Nevada’s grade in the 2013 Nursing Home Report Card.

In regard to veterans’ issues, Committee members received information on the Green Zone Initiative and services offered by the Department of Veterans Services, such as advocacy, community outreach, memorial cemeteries, and State veterans’ homes. Members also discussed wait times for patients to receive services at Veterans Health Administration medical centers.

Lastly, the Committee also reviewed topics and services available to adults with special needs. Some of the topics covered included interpreter services and devices for persons who are deaf or hard of hearing, assistive technology for persons who are blind or visually impaired, integrated employment, guardianship, and updates on Nevada’s *Olmstead* plan.

At the fourth and final meeting, the Committee held a work session, at which members considered 14 recommendations. The members voted to forward five BDRs to the 78th Session of the Nevada Legislature, send eight letters of support to various entities, and include one statement in the Committee’s final report. The Committee’s BDRs relate to the following topics:

- Employment of adults with special needs;
- Medical and other related facilities;
- Health care decisions; and
- Services for persons who are deaf or hard of hearing.

III. DISCUSSION OF MAJOR ISSUES RESULTING IN LEGISLATION OR OTHER COMMITTEE ACTION

A variety of issues were addressed at the meetings of the Legislative Committee on Senior Citizens, Veterans and Adults With Special Needs. This section provides background information and discusses only those issues on which the Committee made recommendations. The bill drafts, letters, and statements fall into six main topic categories: (1) employment of adults with special needs; (2) medical and other related facilities; (3) health care decisions; (4) services for senior citizens and adults with special needs; (5) services for persons who are deaf or hard of hearing; and (6) services for persons who are blind or visually impaired. A summary of the Committee's BDRs are attached as Appendix C. Copies of letters approved by the Committee are included as Appendix D, with the exception of letters addressed to the Senate Committee on Finance and Assembly Committee on Ways and Means.

A. Employment of Adults With Special Needs

The topic of employment for adults with special needs was discussed at three of the four meetings over the interim. The Committee heard from representatives of the Rehabilitation Division of the Department of Employment, Training and Rehabilitation (DETR), the Governor's Council on Developmental Disabilities, the Nevada Center for Excellence in Disabilities, and Opportunity Village, among others.

Presenters testified at the May 21, 2014, meeting that the goal of employment is to bridge the gap between disability and self-sufficiency. Employment can be facility-based or in an integrated environment in the general workforce. In regard to integrated employment, one of the goals is for persons with disabilities to earn competitive wages. Examples of integrated employment include the philosophy of Employment First and placement through Customized Employment.

Representatives of DETR explained that federal funding is available through the Rehabilitation Service Administration in a 4:1 State match with a maximum federal match of approximately \$20 million. The Department expressed a desire to expand the Job Development Program, through the addition of seven new positions. The program finds employment for clients of the Bureau of Vocational Rehabilitation and the Bureau of Services to Persons Who Are Blind or Visually Impaired.

Members were also informed that providers of Jobs and Day Training (JDT) have not received an increase in their Medicaid reimbursement rate since 2006, although employer related costs have increased. A 2002 Strategic Plan for Provider Rates recommended the State rebase the rate for JDT providers every five years while increasing rates according to the inflation index for the interim years, which reportedly has not occurred.

Based on the testimony received regarding employment for adults with special needs, the Committee voted to:

1. **Send a letter to the Governor, the Department of Health and Human Services (DHHS), the DETR, and the Department of Education in support of Executive Order 2014-16, “Establishing the Governor’s Taskforce on Integrated Employment,” for persons with intellectual and developmental disabilities.**
2. **Send a letter to the Senate Committee on Finance and the Assembly Committee on Ways and Means in support of maintaining efforts by the Rehabilitation Division, DETR, to maximize federal funding for integrated employment.**
3. **Send a letter to the Governor, the Senate Committee on Finance, and the Assembly Committee on Ways and Means in support of the request for seven new positions in the Rehabilitation Division, DETR, budget for Fiscal Year 2016–2017.**
4. **Send a letter to the Governor, the Senate Committee on Finance, and the Assembly Committee on Ways and Means in support of increasing the Medicaid reimbursement rate for providers of Jobs and Day Training in the *Executive Budget* for the 2015–2017 Biennium.**

At the July 9, 2014, meeting, there was further discussion on the wage level provided to persons with disabilities employed through JDT programs. Members expressed concern that individuals with disabilities might not receive a minimum wage in settings of employment. In response to this concern, the Committee approved the following:

Amend the statutes to require the Aging and Disability Services Division (ADSD), DHHS, in their application process for JDT providers, to give preference to applicants who employ persons with disabilities at or above minimum wage. (BDR 39–416)

B. Medical and Other Related Facilities

At the January 15, 2014, meeting, the Committee heard presentations on long-term care and skilled nursing facilities in Nevada. The State Long-Term Care Ombudsman with the ADSD explained the Ombudsman advocates for residents seeking assistance and complaint resolution in long-term care facilities.

Representatives of the Bureau of Health Care Quality and Compliance, Division of Public and Behavioral Health (DPBH), DHHS, gave an overview of the inspection process in skilled nursing facilities and discussed Nevada’s grade in the 2013 Nursing Home Report Card prepared by the Families for Better Care organization.

A follow-up presentation by representatives of Families for Better Care, as well as representatives from the Nevada Health Care Association, was provided on July 9, 2014, to explain the methodology used to score Nevada’s grade in the Nursing Home Report Card. Members questioned the adequacy of staffing levels in skilled nursing facilities. Testimony referenced Nevada’s level of direct care, which averages 2.14 hours per resident, and

concerns that staffing levels can contribute to deficiencies in care. According to staff of the DPBH, the inspection process includes a determination of whether staffing levels in skilled nursing facilities meet the needs of residents. Members voiced concern about inadequate response times to call lights.

Based on the testimony received and discussion by the members, the Committee approved the following:

Amend the statutes to improve resident care in skilled nursing facilities by:

- a. Establishing staffing ratios in skilled nursing facilities of 4.1 hours of direct care per resident, comprising 2.8 hours for certified nursing assistants and 1.3 hours for licensed staff, as recommended by the National Consumer Voice for Quality Long-Term Care; and**
- b. Establishing a maximum time of 20 minutes by which staff of a nursing facility must respond to a resident's request for assistance through the use of a call light. (BDR -417)**

In regard to hospital facilities, a representative from AARP testified on proposed legislation, titled the "Caregiver Advise, Record, Enable (CARE) Act," which would create a system for family caregivers to be recognized, notified, and included in discharge planning from hospital facilities, and urged support of a bill modeled after the CARE Act in the upcoming session. Also, members received information that the DPBH has reportedly experienced delays in conducting inspections at medical facilities, such as hospitals, due to an increase in the number of facilities to inspect concurrent with staff vacancies.

In addition to the aforementioned BDR, the Committee also voted to take the following actions:

- 1. Send a letter to the DHHS in support of additional positions within the Bureau of Health Care Quality and Compliance, DPBH, for the purpose of conducting inspections at medical and other related facilities.**
- 2. Send a letter to the DHHS in support of increased funding for the State Long-Term Care Ombudsman Program in the *Executive Budget* for the 2015–2017 Biennium.**
- 3. Include a statement in the final report in support of legislation similar to the CARE Act.**

C. Health Care Decisions

At the May 21, 2014, meeting, Mary Bryant of the Nevada Center for Excellence in Disabilities provided information on how persons with intellectual or developmental disabilities may need assistance with making important medical decisions, but should also be able to participate in their care without having to submit to a guardianship. Ms. Bryant proposed a new Durable Power of Attorney for Health Care Decisions specific for persons with intellectual or developmental disabilities. The document would be written in a way that many people with intellectual disabilities would understand and could sign themselves. In response to the testimony received, the Committee voted to submit the following:

Amend the statutes (such as Chapter 162A of NRS) to create a Power of Attorney for Health Care Decisions for persons with intellectual or developmental disabilities. This form would be different from the Power of Attorney for Health Care Decisions form set forth in NRS 162A.860. The new form would enable adults over 18 years of age with intellectual or developmental disabilities to receive assistance in making medical decisions. (BDR 13-418)

D. Services for Senior Citizens and Adults With Special Needs

Testimony by staff of the ADSD at the July 9, 2014, meeting indicated the current strategic plans for seniors and persons with disabilities and Nevada's *Olmstead* plan were initially adopted as ten-year plans, which are now out of date. Discussion also cited concern about recent *Olmstead* enforcement efforts by the United States Department of Justice. In 2001, the agency costs to implement both plans were \$250,000. Therefore, the ADSD estimated it would need approximately the same amount, or more, to update the aforementioned plans. Because of the information received, the Committee voted to take the following action:

Send a letter to the DHHS in support of an ADSD budget request to update the strategic plans for senior citizens and persons with disabilities, including a revised Nevada *Olmstead* plan, in the *Executive Budget* for the 2015-2017 Biennium.

E. Services for Persons who are Deaf or Hard of Hearing

The Committee heard from representatives of the ADSD, the Public Utilities Commission of Nevada (PUCN), and the Deaf and Hard of Hearing Resource Centers, at the May 21, 2014, meeting on issues related to funding of the two regional centers in Nevada. The centers are funded through a surcharge on all wired and wireless phone lines. In 2013, a budget submitted by the ADSD was contested by the PUCN due to the types of services provided by the centers. The PUCN subsequently issued a ruling that limited the services provided by the centers to those that directly relate to equipment and regulation of interpreters and realtime captioning. The ADSD appealed the ruling, which is now under judicial review by the Supreme Court of Nevada.

Based on the testimony received and discussion by the members, the Committee voted to submit the following:

Amend the statutes (such as Chapter 427A of NRS) to broaden the scope of the Program to Provide Devices for Telecommunication to Persons With Impaired Speech or Hearing by including assistance services and a non-exclusive list of activities in which the service centers may engage. Below are examples of the list of activities.

- **Assist consumers in accessing resources such as hearing aids, electrolarynx, and other assistive devices;**
- **Expand and build service capacity in areas where need exists but services do not;**
- **Provide orientation and transition assistance to newly deafened or speech-impaired individuals, including veterans and seniors;**
- **Support telecommunications equipment distribution; and**
- **Provide classes in sign language for consumers. (BDR 38–419)**

Members also heard from representatives from the Nevada Association of the Deaf and the Registry for Interpreters of the Deaf regarding interpreting services in Nevada, the need for more interpreters, and the establishment of an advisory board for interpreters. Testimony indicated that, although Chapter 656A (“Interpreters and Realtime Captioning Providers”) of NRS makes the ADSD responsible for registration and discipline of interpreters, the interpreting community supports a board to assist the ADSD with its regulatory responsibilities and efforts to increase the number and qualifications of interpreters.

Based on testimony received, the Committee approved the following:

Amend the statutes (such as Chapter 656A of NRS) to establish an advisory board to assist the ADSD in the oversight of interpreters. The board would have nine members and the following composition and duties:

- **One nationally certified interpreter with five or more years of certified interpreting status;**
- **One Educational Interpreter Performance Assessment (EIPA) and Registry of Interpreters for the Deaf, Inc. (RID) certified interpreter (Educational Certificate: K–12) with five or more years of certified experience;**
- **One RID consumer of interpreting services with five or more years of certified experience as such a consumer;**
- **One provider of American Sign Language interpreting services with interpreting experience in one of the following settings: (1) educational; (2) medical; or (3) legal;**
- **One consumer of interpreting services who is deaf;**
- **One RID certified interpreter;**
- **One attorney with experience in the Americans with Disabilities Act and business law;**
- **One Interpreter Preparation Program postsecondary representative; and**
- **One representative from the ADSD.**

- a. Duties of the board shall include:
 - i. In consultation with the ADSD, processing new applications for registering interpreters in Nevada;
 - ii. Monitoring and encouraging additional training opportunities for interpreters;
 - iii. Establishing standards for waiver of registration requirements in NRS 656A.100;
 - iv. Reviewing and resolving complaints or making recommendations to the ADSD regarding disciplinary action;
 - v. Reviewing and evaluating the feasibility of the board becoming a licensing authority over interpreters; and
 - vi. Reporting recommendations to the Legislature prior to the 2017 Legislative Session.
- b. The board will be subject to the Open Meeting Law; ethics provisions and auditing and budgeting requirements applicable to occupational boards; and the general provisions in Chapter 232A (“Boards, Commissions and Similar Bodies”) of NRS regarding residency, vacancies, etc.
- c. The Governor shall make the appointments and, after the initial staggered terms, each member shall serve a term of four years. (BDR 54–420)

F. Services for Persons who are Blind or Visually Impaired

Representatives from the ADSD, DETR, and the Nevada Commission on Services for Persons with Disabilities (NCSPD) presented information at the May 21, 2014, meeting on services that support independent living and the use of assistive technology for persons who are blind or visually impaired. According to NCSPD, there is a need to expand services available through the independent living services unrelated to employment activities. The ADSD reportedly has a budget request for the upcoming legislative session to increase services with orientation and mobility training and assistive technology evaluations, devices, and training. Based on testimony received, the Committee approved the following action:

Send a letter to the Governor, the DHHS, the Senate Committee on Finance, and the Assembly Committee on Ways and Means in support of increased funding of approximately \$500,000 for independent living services in the ADSD budget for the 2015–2017 Biennium.

IV. CONCLUDING REMARKS

The Committee would like to thank all of the State and local agencies; community groups; nonprofit organizations; professional organizations; and the public for their contributions to the Committee’s work this interim. The members sincerely appreciate the time and expertise of those who participated at each meeting.

V. APPENDICES

	<u>Page</u>
Appendix A	
<i>Nevada Revised Statutes</i> 218E.750 through 218E.770	11
Appendix B	
Status of Bill Draft Requests From the 2011–2012 Interim	17
Appendix C	
Letters Approved by the Committee at its Final Meeting and Work Session.....	21
Appendix D	
Suggested Legislation	33

APPENDIX A

Nevada Revised Statutes 218E.750 through 218E.770

Nevada Revised Statutes

NRS 218E.750 Creation; membership; budget; officers; terms; vacancies.

1. The Legislative Committee on Senior Citizens, Veterans and Adults With Special Needs, consisting of six members, is hereby created. The membership of the Committee consists of:

(a) Three members of the Senate appointed by the Majority Leader of the Senate, at least one of whom must be a member of the minority political party; and

(b) Three members of the Assembly appointed by the Speaker of the Assembly, at least one of whom must be a member of the minority political party.

2. The Legislative Commission shall review and approve the budget and work program for the Committee and any changes to the budget or work program.

3. The Legislative Commission shall select the Chair and Vice Chair of the Committee from among the members of the Committee. After the initial selection, each Chair and Vice Chair holds office for a term of 2 years commencing on July 1 of each odd-numbered year. The office of Chair of the Committee must alternate each biennium between the Houses. If a vacancy occurs in the office of Chair or Vice Chair, the vacancy must be filled in the same manner as the original selection for the remainder of the unexpired term.

4. A member of the Committee who is not a candidate for reelection or who is defeated for reelection continues to serve after the general election until the next regular or special session convenes.

5. A vacancy on the Committee must be filled in the same manner as the original appointment for the remainder of the unexpired term.

(Added to NRS by [2009, 2412](#); A [2011, 3235](#))

NRS 218E.755 Meetings; quorum; compensation, allowances and expenses of members.

1. Except as otherwise ordered by the Legislative Commission, the members of the Committee shall meet not earlier than November 1 of each odd-numbered year and not later than August 31 of the following even-numbered year at the times and places specified by a call of the Chair or by a majority of the Committee.

2. The Director or the Director's designee shall act as the nonvoting recording Secretary of the Committee.

3. Four members of the Committee constitute a quorum, and a quorum may exercise all the power and authority conferred on the Committee.

4. Except during a regular or special session, for each day or portion of a day during which a member of the Committee attends a meeting of the Committee or is otherwise engaged in the business of the Committee, the member is entitled to receive the:

(a) Compensation provided for a majority of the Legislators during the first 60 days of the preceding regular session;

(b) Per diem allowance provided for state officers and employees generally; and

(c) Travel expenses provided pursuant to [NRS 218A.655](#).

5. All such compensation, per diem allowances and travel expenses must be paid from the Legislative Fund.

(Added to NRS by [2009, 2412](#); A [2011, 3235](#))

NRS 218E.760 General powers.

1. The Committee may review, study and comment upon issues relating to senior citizens, veterans and adults with special needs, including, without limitation:

(a) Initiatives to ensure the financial and physical wellness of senior citizens, veterans and adults with special needs;

(b) The abuse, neglect, isolation and exploitation of senior citizens and adults with special needs;

(c) Public outreach and advocacy;

(d) Programs for the provision of services to senior citizens, veterans and adults with special needs in this State and methods to enhance such programs to ensure that services are provided in the most appropriate setting;

(e) Programs that provide services and care in the home which allow senior citizens to remain at home and live independently instead of in institutional care;

(f) The availability of useful information and data as needed for the State of Nevada to effectively make decisions, plan budgets and monitor costs and outcomes of services provided to senior citizens, veterans and adults with special needs;

(g) Laws relating to the appointment of a guardian and the improvement of laws for the protection of senior citizens and adults with special needs who have been appointed a guardian, including, without limitation, the improvement of investigations relating to guardianships and systems for monitoring guardianships; and

(h) The improvement of facilities for long-term care in this State, including, without limitation:

(1) Reducing the number of persons placed in facilities for long-term care located outside this State;

(2) Creating units for acute care and long-term care to treat persons suffering from dementia who exhibit behavioral problems;

(3) Developing alternatives to placement in facilities for long-term care, including, without limitation, units for long-term care located in other types of facilities, and ensuring that such alternatives are available throughout this State for the treatment of persons with psychological needs; and

(4) Creating a program to provide follow-up care and to track the ongoing progress of residents of facilities for long-term care.

2. The Committee may:

(a) Review, study and comment upon matters relating to senior citizens, veterans and adults with special needs;

(b) Conduct investigations and hold hearings in connection with its duties pursuant to this section and exercise any of the investigative powers set forth in [NRS 218E.105](#) to [218E.140](#), inclusive;

(c) Request that the Legislative Counsel Bureau assist in the research, investigations, hearings and studies of the Committee; and

(d) Make recommendations to the Legislature concerning senior citizens, veterans and adults with special needs.

3. The Committee shall, on or before January 15 of each odd-numbered year, submit to the Director for transmittal to the next regular session a report concerning the study conducted pursuant to subsection 1.

4. As used in this section, “facility for long-term care” has the meaning ascribed to it in [NRS 427A.028](#).

(Added to NRS by [2009, 2412](#); A [2011, 3236](#); [2013, 3751](#))

NRS 218E.765 Administration of oaths; deposition of witnesses; issuance and enforcement of subpoenas. Repealed. (See chapter 550, Statutes of Nevada 2013, at page 3759.)

NRS 218E.770 Fees and mileage for witnesses. Repealed. (See chapter 550, Statutes of Nevada 2013, at page 3759.)

APPENDIX B

Status of Bill Draft Requests From the 2011–2012 Interim

APPENDIX B

Status of Bill Draft Requests From the 2011–2012 Interim

BDR	Summary	Bill	Status
40-116	Makes various changes relating to Home and Community-Based Services.	A.B. 457	Failed to Meet Deadline
40-117	Requires certain facilities for long-term care to conduct annual assessments of certain patients.	A.B. 148	Failed to Meet Deadline
40-118	Revises provisions relating to background investigations for certain persons who work in facilities for long-term care.	S.B. 91	Failed to Meet Deadline
15-123	Makes various changes relating to the mandatory reporting of elder abuse.	A.B. 229	Failed to Meet Deadline
14-124	Requires certain district courts to establish a specialty court program for veterans.	A.B. 84	Chapter 384, <i>Statutes of Nevada 2013</i>
43-145	Authorizes the placement of veteran's status on certain documents issued by the Department of Motor Vehicles.	A.B. 242	Failed to Meet Deadline

APPENDIX C

Letters Approved by the Committee at its Final Meeting and Work Session

TERESA BENITEZ-THOMPSON
ASSEMBLYWOMAN
District No. 27



COMMITTEES:
Chair
Government Affairs
Member
Health and Human Services
Taxation

DISTRICT OFFICE:
P.O. Box 20637
Reno, Nevada 89515-0637
Cell: (775) 247-7665

Nevada Assembly

SEVENTY-SEVENTH SESSION

October 15, 2014

LEGISLATIVE BUILDING:
401 South Carson Street
Carson City, Nevada 89701-4747
Office: (775) 684-8845
Fax No.: (775) 684-8533
Email: Teresa.BenitezThompson@asm.state.nv.us

Dale A.R. Erquiaga, Superintendent of Public Instruction
Department of Education
700 East Fifth Street
Carson City, Nevada 89701

Dear Mr. Erquiaga:

The Legislative Committee on Senior Citizens, Veterans and Adults With Special Needs (*Nevada Revised Statutes* 218E.750) recently concluded its work for the 2013-2014 Interim.

The Committee heard from various stakeholders regarding employment for persons with intellectual and developmental disabilities. The topic of integrated employment was discussed, specifically the philosophy of Employment First. Committee members were informed of the advantages of an Employment First model and the recent issuance of Governor Sandoval's Executive Order 2014-16, "Establishing the Governor's Taskforce on Integrated Employment," for persons with intellectual and developmental disabilities.

Upon a review of this topic, the Committee voted to send a letter in support of this Taskforce and looks forward to the results and recommendations from this important group.

Please do not hesitate to contact me at 775/247-7665 or via e-mail at Teresa.BenitezThompson@asm.state.nv.us, or Committee Staff Kirsten Coulombe at 775/684-6825 or kirsten.coulombe@lcb.state.nv.us, with any questions.

Sincerely,

A handwritten signature in black ink that reads "Teresa Benitez-Thompson".

Assemblywoman Teresa Benitez-Thompson, Chair
Legislative Committee on Seniors, Veterans
and Adults With Special Needs

TERESA BENITEZ-THOMPSON

ASSEMBLYWOMAN

District No. 27



COMMITTEES:

Chair

Government Affairs

Member

Health and Human Services

Taxation

DISTRICT OFFICE:

P.O. Box 20637
Reno, Nevada 89515-0637
Cell: (775) 247-7665

Nevada Assembly

SEVENTY-SEVENTH SESSION

October 15, 2014

LEGISLATIVE BUILDING:

401 South Carson Street
Carson City, Nevada 89701-4747
Office: (775) 684-8845
Fax No.: (775) 684-8533
Email: Teresa.BenitezThompson@asm.state.nv.us

Don Soderberg, Director
Department of Employment, Training and Rehabilitation
500 East Third Street
Carson City, Nevada 89713

Dear Mr. Soderberg:

The Legislative Committee on Senior Citizens, Veterans and Adults With Special Needs (*Nevada Revised Statutes* 218E.750) recently concluded its work for the 2013-2014 Interim.

The Committee heard from various stakeholders regarding employment for persons with intellectual and developmental disabilities. The topic of integrated employment was discussed, specifically the philosophy of Employment First. Committee members were informed of the advantages of an Employment First model and the recent issuance of Governor Sandoval's Executive Order 2014-16, "Establishing the Governor's Taskforce on Integrated Employment," for persons with intellectual and developmental disabilities.

Upon a review of this topic, the Committee voted to send a letter in support of this Taskforce and looks forward to the results and recommendations from this important group.

Please do not hesitate to contact me at 775/247-7665 or via e-mail at Teresa.BenitezThompson@asm.state.nv.us, or Committee Staff Kirsten Coulombe at 775/684-6825 or kirsten.coulombe@lcb.state.nv.us, with any questions.

Sincerely,

A handwritten signature in black ink that reads "Teresa Benitez-Thompson".

Assemblywoman Teresa Benitez-Thompson, Chair
Legislative Committee on Seniors, Veterans
and Adults With Special Needs

TBT/mw:W143359-2

TERESA BENITEZ-THOMPSON

ASSEMBLYWOMAN

District No. 27



COMMITTEES:

Chair

Government Affairs

Member

Health and Human Services

Taxation

DISTRICT OFFICE:

P.O. Box 20637

Reno, Nevada 89515-0637

Cell: (775) 247-7665

Nevada Assembly

SEVENTY-SEVENTH SESSION

October 15, 2014

LEGISLATIVE BUILDING:

401 South Carson Street

Carson City, Nevada 89701-4747

Office: (775) 684-8845

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Email: Teresa.BenitezThompson@asm.state.nv.us

Romaine Gilliland, Director
Department of Health and Human Services
4126 Technology Way, Suite 100
Carson City, Nevada 89706-2009

Dear Mr. Gilliland:

The Legislative Committee on Senior Citizens, Veterans and Adults With Special Needs (*Nevada Revised Statutes* 218E.750) recently concluded its work for the 2013-2014 Interim. The Committee heard from various stakeholders regarding employment and independent living services for persons with disabilities, advocacy, and inspections in long term care facilities.

Discussions were held on the subject of integrated employment, including the philosophy of Employment First supported by the Governor's Council on Developmental Disabilities. It was reported that Nevada's current ten-year strategic plans for seniors and persons with disabilities, as well as Nevada's *Olmstead* plan, are now out of date. Committee members heard concerns about recent *Olmstead* enforcement efforts by the United States Department of Justice that could potentially impact Nevada. Advocacy groups also expressed the importance of increasing independent living services for persons who are blind or visually impaired in Nevada.

Committee members reviewed the role of the State Long-Term Care Ombudsman program through the Aging and Disability Services Division (ADSD). Also, members received information that the Bureau of Health Care Quality and Compliance, Division of Public and Behavioral Health (DPBH), has reportedly experienced delays in conducting inspections at medical facilities, such as hospitals, due to an increase in the number of facilities to inspect concurrent with staff vacancies.

Upon review of these topics, the Committee voted to send a letter to convey support of the following:

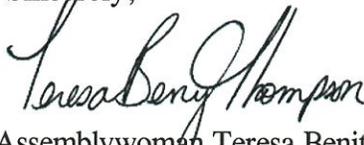
- A. Executive Order 2014-16, "Establishing the Governor's Taskforce on Integrated Employment," for persons with intellectual and developmental disabilities.

- B. An ADSD budget request to update the strategic plans for senior citizens and persons with disabilities, including a revised Nevada *Olmstead* plan, in the *Executive Budget* for the 2015-2017 Biennium.
- C. An increase in funding for the State Long-Term Care Ombudsman Program in the *Executive Budget* for the 2015-2017 Biennium.
- D. Additional positions within the Bureau of Health Care Quality and Compliance, DPBH, for the purpose of conducting inspections at medical and other related facilities.
- E. A budget request by the ADSD for approximately \$500,000 for independent living services in the *Executive Budget* for the 2015-2017 Biennium.

Thank you in advance for considering these recommendations. I look forward to seeing how the needs of this unique population will continue to be met through the programs and services provided through the Department of Health and Human Services.

Please do not hesitate to contact me at 775/247-7665 or via e-mail at Teresa.BenitezThompson@asm.state.nv.us, or Committee Staff Kirsten Coulombe at 775/684-6825 or kirsten.coulombe@lcb.state.nv.us, with any questions.

Sincerely,



Assemblywoman Teresa Benitez-Thompson, Chair
Legislative Committee on Seniors, Veterans
and Adults With Special Needs

TERESA BENITEZ-THOMPSON
ASSEMBLYWOMAN
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The Honorable Brian Sandoval
Governor of Nevada
101 North Carson Street, Suite 1
Carson City, Nevada 89701-4786

Dear Governor Sandoval:

The Legislative Committee on Senior Citizens, Veterans and Adults With Special Needs (*Nevada Revised Statutes* 218E.750) recently concluded its work for the 2013-2014 Interim. The Committee heard from various stakeholders regarding employment and living services for persons with disabilities.

Discussions were held on the subject of integrated employment, including the philosophy of Employment First as referenced in Executive Order 2014-16. Representatives from the Rehabilitation Division of the Department of Employment, Training and Rehabilitation (DETR) projected improvement in the number and quality of successful employment outcomes with the addition of seven new positions (five Workforce Services Representative IV and two Vocational Evaluation II) to expand the Job Development Program for clients of the Bureau of Vocational Rehabilitation and the Bureau of Services to Persons Who Are Blind or Visually Impaired.

Members were also informed that providers of Jobs and Day Training (JDT) and Supportive Living Arrangements (SLA) have not received an increase in their Medicaid reimbursement rate since 2006 although a 2002 Strategic Plan for Provider Rates recommended the State rebase the rate for JDT and SLA providers every five years while increasing rates according to the inflation index for the interim years.

Lastly, advocacy groups expressed the importance of increasing independent living services for persons who are blind or visually impaired in Nevada.

Upon review of these topics, the Committee voted to send a letter to convey support of the following:

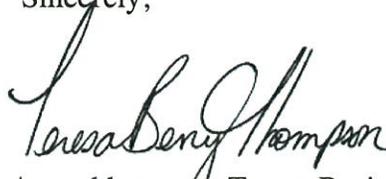
- A. Executive Order 2014-16, "Establishing the Governor's Taskforce on Integrated Employment," for persons with intellectual and developmental disabilities.
- B. A budget request by the Rehabilitation Division, DETR, to expand the Job Development Program through the addition of seven new positions for Fiscal Year 2016-2017.
- C. An increase of the Medicaid reimbursement rate for Jobs and Day Training providers in the *Executive Budget* for the 2015-2017 Biennium.
- D. A budget request by the Aging and Disability Services Division of the Department of Health and Human Services of approximately \$500,000 for independent living services in the *Executive Budget* for the 2015-2017 Biennium.

While the Committee understands the challenges in determining service priorities along with the fiscal constraints facing Nevada, on behalf of the Committee, I respectfully request that you consider these recommendations.

On a personal note, I want to express my support in favor of also increasing the reimbursement rate for Supportive Living Arrangement providers in the 2015-2017 Biennium. Although the Committee did not have the opportunity to vote on a statement in support of a rate increase for Supportive Living Arrangement providers, the Committee did hear testimony on the subject, and I believe the same arguments supporting an increase in the reimbursement rates for Jobs and Day Training apply equally to Supportive Living Arrangement providers.

Please do not hesitate to contact me at 775/247-7665 or via e-mail at Teresa.BenitezThompson@asm.state.nv.us, or Committee Staff Kirsten Coulombe at 775/684-6825 or kirsten.coulombe@lcb.state.nv.us, with any questions.

Sincerely,



Assemblywoman Teresa Benitez-Thompson, Chair
Legislative Committee on Seniors, Veterans
and Adults With Special Needs

TERESA BENITEZ-THOMPSON
ASSEMBLYWOMAN
District No. 27



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The Honorable Chairwoman Debbie Smith
Nevada State Senate
Senate Committee on Finance
Nevada State Legislative Building, Room 2134
401 South Carson Street
Carson City, Nevada 89701-4747

The Honorable Chairwoman Maggie Carlton
Nevada State Assembly
Assembly Committee on Ways and Means
Nevada State Legislative Building, Room 3137
401 South Carson Street
Carson City, Nevada 89701-4747

Dear Senator Smith and Assemblywoman Carlton:

The Legislative Committee on Senior Citizens, Veterans and Adults With Special Needs (*Nevada Revised Statutes* 218E.750) recently concluded its work for the 2013-2014 Interim. The Committee heard from various stakeholders regarding employment and living services for persons with disabilities.

Discussion was held on the use of a 4:1 federal and State match by the Rehabilitation Division of the Department of Employment Training and Rehabilitation (DETR) for integrated employment programs, such as the Vocational Opportunities for Inclusive Career Education (VOICE) project through the Washoe County School District.

Representatives from the Rehabilitation Division also projected improvement in the number and quality of successful employment outcomes with the addition of seven new positions (five Workforce Services Representative IV and two Vocational Evaluation II) to expand the Job Development Program for clients of the Bureau of Vocational Rehabilitation and the Bureau of Services to Persons Who Are Blind or Visually Impaired.

Members were informed that providers of Jobs and Day Training (JDT) have not received an increase in their Medicaid reimbursement rate since 2006 although a 2002 Strategic Plan for

Provider Rates recommended the State rebase the rate for JDT and SLA providers every five years while increasing rates according to the inflation index for the interim years.

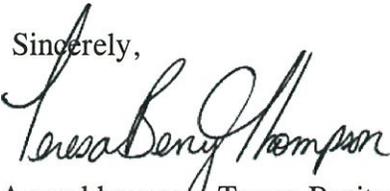
Lastly, advocacy groups expressed the importance of increasing independent living services for persons who are blind or visually impaired offered by the Aging and Disability Services Division (ADSD) of the Department of Health and Human Services (DHHS).

Upon review of these topics, the Committee voted to send a letter to convey support of the following:

- A. A budget request by the Rehabilitation Division, DETR, to expand the Job Development Program through the addition of seven new positions for Fiscal Year 2016-2017.
- B. An increase of the Medicaid reimbursement rate for JDT providers in the *Executive Budget* for the 2015-2017 Biennium.
- C. Maintaining efforts by the Rehabilitation Division, DETR, to maximize federal funding for integrated employment.
- D. A budget request by the ADSD, DHHS, of approximately \$500,000 for independent living services in the *Executive Budget* for the 2015-2017 Biennium.

While the Committee understands the challenges in determining service priorities along with the fiscal constraints facing Nevada, on behalf of the Committee, I respectfully request that you consider the aforementioned recommendations.

Please do not hesitate to contact me at 775/247-7665 or via e-mail at Teresa.BenitezThompson@asm.state.nv.us, or Committee Staff Kirsten Coulombe at 775/684-6825 or kirsten.coulombe@lcb.state.nv.us, with any questions.

Sincerely,


Assemblywoman Teresa Benitez-Thompson, Chair
Legislative Committee on Seniors, Veterans
and Adults With Special Needs

APPENDIX D

Suggested Legislation

APPENDIX D

Suggested Legislation

The following bill draft requests will be available during the 2015 Legislative Session, or can be accessed after “Introduction” at the following website: <http://www.leg.state.nv.us/Session/78th2015/BDRList/page.cfm?showAll=1>.

BDR 39–416 Revises provisions relating to Jobs and Day Training providers.

BDR –417 Revises provisions relating to facilities for skilled nursing.

BDR 13–418 Creates a power of attorney for health care decisions for certain persons with disabilities.

BDR 38–419 Makes various changes to the program to provide devices for telecommunication to persons with impaired speech or hearing.

BDR 54–420 Makes various changes relating to interpreters of sign language.