



Report to Speech Hearing Board – Bills introduced to 2021 Legislative Session as of 2/23/21; other issues of interest

AB2 — Revises provisions relating to appointments to public bodies

“AN ACT relating to public bodies; removing the prohibition against gubernatorial appointees serving simultaneously on more than one board, commission or similar body; and providing other matters properly relating thereto.”

Summary: Removes the provision preventing the governor from appointing one person to multiple boards with the exception of the Sagebrush Ecosystem Council and the Land Use Planning Advisory Council

Potential Impact: If, for example, one of the members of Speech Hearing Board also wanted to serve as a member on another gubernatorial appointed board, that would be permissible. OR, vice-versa for the public member of the Board.

AB39 — Revises provisions relating to public records

“AN ACT relating to public records; clarifying the records of a governmental entity that are required to be made available to the public to inspect, copy or receive a copy thereof; and providing other matters properly relating thereto.”

Summary: Requires public book or records of all government entities to be available for the public to inspect, copy, or receive a copy of at all times. Excludes records of predecisional deliberation and notes/working papers prepared for personal use.

Potential Impact: Board would need to be fully aware of the provisions of this bill as it relates to access by the public (and timeframes) to Board records, financial statements, minutes, etc.

AB65 — Revises provisions relating to ethics in government

“AN ACT relating to ethics in government; making various changes relating to the provisions governing ethics in government; providing penalties; and providing other matters properly relating thereto.”

Summary: Makes changes to the Ethics Laws in Nevada, expands the power of the Commission on Ethics and more specifically setting out the duties/expectations of the roles on the commission including chair, vice chair, etc

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Potential Impact: Negligible. A disgruntled licensee (assumably one that had been disciplined) could report the Board to the Ethics Commission, but unlikely. However, does add value to the anticipated education for licensees on practice laws.

AB81 — Revises certain provisions governing voluntary health care service

“AN ACT relating to health care; eliminating certain restrictions on the provision of voluntary health care service; and providing other matters properly relating thereto.”

Summary: Removes a limitation on in state or out of state licensed/certified health care providers to practice in association with a sponsoring organization which required them to have practiced for 3 continuous years immediately preceding. This is to enable medical students, residents, etc to participate in free health clinics.

Potential Impact: If free health clinics existed or were established to provide services such as screening to (low income) clients, currently, licensed out of state practitioners may participate in such clinics. If the bill passes, early career practitioners could volunteer services as well.

AB91 — Revises provisions relating to the State Board of Nursing

“AN ACT relating to nursing; revising provisions relating to the membership of the State Board of Nursing; and providing other matters properly relating thereto.”

Summary: Requires the State Board of Nursing to have at least one member who is an advanced practice registered nurse
Requires the person on that board who represents interests of persons/agencies that regularly provide health care to patients who are indigent, uninsured or unable to afford health care to be a registered nurse
Removes limitation on consecutive terms on the board

Potential Impact: If there is a limitation on consecutive terms on the board that the board wanted to remove, this would set that precedent.

AB108 - Creates the Nevada Office of the Inspector General

“ An ACT relating to governmental administration; creating the Nevada Office of the Inspector General; setting forth the powers and duties of the Inspector General and employees of the Office; requiring a state agency or local government to cooperate with and provide assistance to the Inspector General in carrying out those duties; prohibiting retaliation against certain persons who make a lawful complaint concerning fraud, waste, abuse or corruption in a state agency or local government; prohibiting certain acts to deter or prevent the Inspector General or an

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employee of the Office from performing his or her duty; imposing increased penalties for certain acts of assault or battery of the Inspector General or an employee of the Office; providing penalties”

- Summary:
- Creates Office of Inspector General separate from current Division of Internal Audits
 - Must report quarterly basis findings, recommendations relating to audit, investigation, inspection or review conducted
 - Must operate fraud, waste, abuse hotline; operate with confidentiality, protect identify of whistleblowers,
 - Review status of internal accounting and administrative controls within state agencies

Potential Impact: Possibly another layer of oversight; however, intent appears to be only to activate the Inspector General related to claims of fraud/waste/abuse.

Note – This is the fifth proposal to create an Office of Inspector General since 2015.

AB142 - Ratifies the Nurse Licensure Compact

“AN ACT relating to nursing; enacting and entering into the Nurse Licensure Compact”

- Summary:
- Enacts the Nurse Licensure Compact, which allows a person who is licensed as a nurse in a state that is a party of the Compact to obtain a multistate license to practice as a nurse in other states that are parties to the Compact

Potential Impact: None; however, it will be interesting to watch the process related to this bill to see what questions / concerns/ affirmations legislators express around an Intertstate Compact.

AB155 - Revises provisions governing the practice of speech-language pathology, audiology and hearing aid dispensing

“AN ACT relating to professions; increasing the maximum amount of certain fees imposed by the Speech-Language Pathology, Audiology and Hearing Aid Dispensing Board”

- Summary:
- raises the fee caps on certain fees charged by the Speech Hearing Board

Potential Impact: Additional revenue to stabilize Board finances and replenish reserves.

SB5 — Makes changes relating to telehealth

“AN ACT relating to health care; requiring the Department of Health and Human Services to establish an electronic tool to analyze certain data concerning access to telehealth; requiring

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certain entities to review access to services provided through telehealth and evaluate policies to make such access more equitable; revising provisions governing services provided through telehealth and insurance coverage of such services; and providing other matters properly relating thereto.”

Summary: -Adds standard telephone to the definition of “telehealth”
 -Requires insurers to cover telehealth services, including standard telephone services, although telephone services may be compensated at a different rate
 -Requires DHHS to establish a data dashboard analyzing access to telehealth and requires Commission on Mental Health, Regional BH Policy Boards, and Legislative Committees on Health to use that data when making recommendations

Potential Impact – on licensees – improved billing/reimbursement for telehealth services, including any provided by telephone (driver of telephone is behavioral health services to low income Nevadans without smartphone).

Note – \$20M fiscal note from Department of Public and Behavioral Health

SB40 — Provides for the collection of certain data relating to health care

“AN ACT relating to health care; authorizing the Patient Protection Commission to request certain reports from a state or local governmental entity; requiring the Department of Health and Human Services to establish an all-payer claims database containing information relating to health insurance claims for benefits provided in this State; requiring certain insurers to submit data to the database; authorizing certain additional insurers to submit data to the database; providing for the release of data in the database under certain circumstances; requiring the Department to publish a report on the quality and cost of health care using data from the database; requiring the Department to submit certain other reports concerning the database to the Legislature; providing immunity from civil and criminal liability for certain persons and entities; authorizing the imposition of administrative penalties for violations of certain requirements concerning the database; prescribing authorized uses for certain administrative penalties; requiring the Department to compile a report containing an inventory of certain data; and providing other matters properly relating thereto.”

Summary: Expands what the Executive Director of the Patient Protection Commission can request to include data from state and local governments
 Requires the DHHS to establish an all-payer claims database
 All public and private insurers in the state, and some that are federally authorized, must submit data
 Establishes confidentiality requirements
 The DHHS must publish annual reports on quality/efficiency/cost of health care in the state

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DHHS will establish penalties for insurers who don't report and use those penalties to help maintain the database

Potential Impact: None to the Board. Impact will be on insurers to submit data. **Note** – premise of Patent Protection Commission is that through collection of data from payers (insurers, including Medicare and Medicaid), progress on cost control can be achieved.
Note - \$2.5M fiscal note from HCFP (Medicaid)

SB81 — Increases the maximum salary of certain state employees

“AN ACT relating to state employees; increasing the maximum salary of certain state employees; and providing other matters properly relating thereto.”

Summary: Increases state employee salary limit from 95% of the governor's salary to 150% of the governor's salary

Historical issue for the Board. Not relevant with current staffing structure.

SB90 — Revises provisions relating to the regulation of providers of health care

“AN ACT relating to professional regulation; requiring certain investigations of a provider of health care to be recorded as “a review and evaluation”; providing that an investigation recorded as a review and evaluation is not an investigation for certain purposes; and providing other matters properly relating thereto.”

Summary: Requires that an investigation into a health care provider that determines there are no reasonable grounds to believe a violation was committed be referred to as a “review and evaluation”

Potential Impact: None, except change in semantics. From ED Pierce: “Our investigations are all confidential unless they get to a hearing or a Consent Decree. In that case, the Board's Order or Consent Decree document would become public record. It sounds like going forward if we received a complaint that was not opened for investigation or resulted in a finding, we would use this terminology in letters to the complainant or practitioner, etc. But there's never a record of the “review and evaluation” posted anywhere publicly and wouldn't be reported for employment, professional licensure or credentialing, education or liability or health insurance.”

SB97 — Provides that certain restrictions relating to public gatherings do not apply to certain events at which a vaccine for COVID-19 is administered.

“AN ACT relating to emergency management; providing that any provision in an emergency directive, order or regulation made by the Governor relating to COVID-19 that imposes certain

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limits on public gatherings does not apply to certain events held for the purpose of administering a vaccine for COVID-19; and providing other matters properly relating thereto.”

Summary: Person limits imposed during state of emergency don't apply to indoor or outdoor COVID-19 vaccination events

Potential Impact: None/Limited? Not certain if audiologists are allowed to administer vaccines. (dentists were recently added to health care providers who may administer)

SB99 — Makes changes to provisions relating to fiscal notes.

“AN ACT relating to governmental administration; requiring each bill or joint resolution introduced in the Legislature to include a statement concerning whether the bill or resolution creates, generates or increases public revenue of the State or a local government; requiring the Fiscal Analysis Division of the Legislative Counsel Bureau to obtain or prepare a fiscal note for a bill or joint resolution that creates, generates or increases public revenue of the State or a local government; and providing other matters properly relating thereto.”

Summary: Fiscal notes for bills and joint resolutions will also be prepared if that bill or joint resolution creates, generates or increases public revenue

Potential Impact: For a bill such as AB155, the Board would have to prepare a fiscal note estimating revenue. Would need to clarify that increase in revenue will be as a result of administrative rule-making and that revenue generated is prescribed by law to operations of the Board.

SB100 — Enacts provisions governing the interstate practice of physical therapy

“AN ACT relating to physical therapy; enacting and entering into the Physical Therapy Licensure Compact; and providing other matters properly relating thereto.”

Summary: Makes changes to governance of physical therapists and physical therapist assistants:
Joins Nevada as a member state of the Physical Therapy Licensure Compact
Requires Nevada Physical Therapy Board to issue written authorization to practice for people qualified under the compact
Replaces “registered” with “licensed” to correct terminology

Potential Impact: None; however, it will be interesting to watch the process related to this bill to see what questions / concerns/ affirmations legislators express around an Interstate Compact.

SB109 – Revises provisions relating to the reporting of certain data

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“AN ACT relating to governmental agencies; requiring governmental agencies to request from certain persons information related to sexual orientation and gender identity; providing, with certain exceptions, that such information is confidential; requiring a governmental agency to annually report certain information related to sexual orientation and gender identity to the Director of the Legislative Counsel Bureau”

- Summary:
- makes legislative declaration on the importance to the provision of public service to Nevadans for there to be an awareness of the sexual orientation and gender identify of persons served
 - Requires that governmental entities which collect information currently on race and ethnicity also collect information on sexual orientation and gender identify
 - Provision of information shall be voluntary; information shall be kept confidential; entities that collect information shall make annual report to LCB

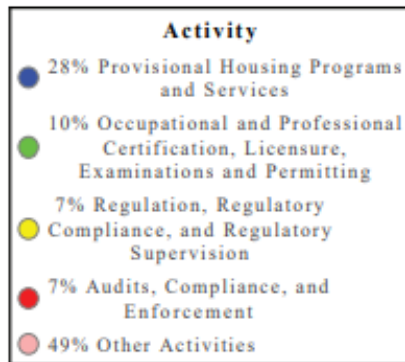
Potential Impact: The Speech Hearing Board currently does NOT collect information on race and ethnicity; therefore, it may not be affected by this bill. However, ED Pierce was requested to complete a fiscal note on this, so perhaps the Board may be required to expand its data gathering, which would require alterations to applications and other forms and explanation to applicants and licensees that providing the information is voluntary.

Other Issues of Interest

1. Whether activity will be authorized/budgeted to move any or some Licensing Boards under the Department of Business and Industry

Finding: No indication of that for this session in either Director of B and I budget or in BDRs/Bills. 10% of Department’s budget/activity is related to occupational licensure. Budget hearing is 2/25, will monitor.

Department Biennium Total by Activity



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2. Senator Spearman interests in streamlining licensing for military, military spouses, veterans.

Finding: ED Pierce and SSGR participated in a convening with Boards and Senator Spearman. Reviewed Recommendations document from Interim Committee on Seniors and Veterans. Speech Hearing Board is in positive compliance with all recommendations.

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