

**DRAFT MINUTES**

Name of Organization: Nevada Statewide Independent Living Council (NV SILC)

 Legislative Subcommittee

Date and Time of Meeting: Thursday, July 6, 2023

 1:00 p.m.

This meeting will be held via video-conference only:

The public may observe this meeting and provide public comment on Zoom.

**To Join the Zoom Meeting**

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1. Welcome, Roll Call, Verification of Posting and Introductions

Steven Cohen, Subcommittee Chair

SILC Members Present: Dee Dee Foremaster, Linda Vejvoda

Guests Present: Steven Cohen, Drazen Elez, Marla McDade-Williams, Julie Lindesmith, Jeff Duncan, Sondra Cosgrove, Dora Martinez, Cody Butler, Catherine Nielsen, Miles Terrasas, Regina Daniel, Shannon Litz, Jack Mayes, Cindi Swanson, & Mechelle Merrill

Quorum was present, consistent with SILC’s Policies and Procedures Manual.

CART Provider: Becky Van Auken

Interpreters: Erin Burns and Meridith Aurs

Staff: Dawn Lyons and Wendy Thornley

1. Public Comment

(No action may be taken upon a matter raised under public comment period unless the matter itself has been specifically included on an agenda as an action item. Comments will be limited to three minutes per person, at the discretion of the Chair. Persons making comment will be asked to begin by stating their name for the record and to spell their last name and provide the secretary with written comments.)

There was no public comment.

1. Approval of Meeting Minutes from 5/18/2023 **(For Possible Action)**

Steven Cohen, Subcommittee Chair

Dee Dee Foremaster motioned to approve the draft minutes. Linda Vejvoda seconded the motion. The motion carried.

1. Discussion Regarding Accessing Nevada Electronic Legislative Information System (NELIS)

[Bill List (state.nv.us)](https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bills/List)

Steven Cohen, Subcommittee Chair

 Steven Cohen: He will be distributing a NELIS video after the meeting.

1. Discussion Regarding State and Competitive, Integrated Community Employment Bills from the 82nd Legislative Session
* AB 79: 700 Hour Program - Revises provisions governing the temporary limited appointment of persons with disabilities by certain state agencies.

[AB79 Text (state.nv.us)](https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bill/9659/Text)

* AB 259: Sub-Minimum Wage Phase-Out - Revises provisions governing wages for persons with disabilities.

[AB259 Text (state.nv.us)](https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bill/10024/Text)

* SB 279: State as Model Employer - Revises provisions relating to employment. [SB279 Text (state.nv.us)](https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bill/10129/Text)

 Steven Cohen, Subcommittee Chair

This item was discussed in other discussions of this meeting.

1. Updates from Bureau of Vocational Rehabilitation (BVR) 2023-2025 Biennium on Budget Changes

Drazen Elez, Administrator, Department of Employment, Training and Rehabilitation (DETR), Rehabilitation Division

Drazen Elez: It was a very successful legislative session. He went through some of the gains gotten by DETR during the session.

They didn't have any bills that they asked this session to be amended or introduced.

They did have three requests during the session, one was to add two additional internal job developers to their team, and two positions to expand their internal job development team.

These have been approved by the legislature, so they have gotten those two. These positions will help them expand their internal services for job developers as well as help ensure they continue to maintain certain level of customer service from this team.

They have lost a lot of the job contracted job developers during the pandemic.

A lot of these entities were smaller mom and pop type businesses, and a lot of them have closed shop during the pandemic.

It was needed for DETR to be able to keep serving the clients without any delays.

Also, it was also important for them after the pandemic, have seen a significant increase in number of applications for Vocational Rehabilitation services.

The second thing we asked for was adding three Transition Coordinators to our team.

This is some of you may know, after the passage of WIOA in 2014 the state VR agencies have had an end date to improve their or add services for youth 16 and over and expand that had to 14 and over since kind of the start of that VR program.

We've had only had one position, a program officer three that kind of helped coordinate all these efforts and kind of working with all the different educational entities out there so different school districts, schools themselves.

It was difficult to maintain contractors, they have seen a lot of attrition in that field so they wanted to have some state employees so they can make sure that consistency to the three Transition Coordinators will be in the Reno area or Northern Nevada, one in rural areas, Elko, and one serving Southern Nevada.

They will be beneficial to the agency and to all Nevadans with disabilities, especially the youth with disabilities. Regarding their students with disabilities, they feel it will have consistency and more tenure with these staff and this will be beneficial to keep growing their transition program as they have been doing the last couple years.

The third thing they have asked for, is the addition of a Disability Benefits 101 portal, this is one of the huge areas that Nevada needs to improve in is ensuring they have disability benefits planning in the State.

Currently there's no government funded position or contractor that resides in Nevada that can help people with disability benefits planning.

People are looking for jobs and they are receiving social security benefits either SSI or SSDI, all these folks receiving those are wondering how their benefits will be impacted if they start work, how much they can work before their medical or financial benefits are impacted, how much they will be impacted.

This portal will help with that, folks will be able to create their own unique accounts and find out personally how they will be their benefits will be impacted.

There is no staff support for this portal.

That's something that we're going to continue working on in the future.

But it's a huge step in the right direction for us to receive these.

Besides our staff and VR, VR clients, any other entity that's out there that could benefit from this portal will have the same access as us, so the whole government agencies, nonprofits, or individuals themselves will be able to sign in, create their own accounts, and do the research as to how their benefits will be impacted.

While the funding for this has been secured as of this year the development of the portal itself will take at least a year.

With the addition of us having to contract with this particular entity as well and go through that lengthy State contracting process, getting the contract in place.

Then doing all the research as to what all the benefits exist in Nevada.

The portal will be very Nevada specific so they will do the research to see what benefits exist and add that information to this portal.

So we're hoping that the portal will be live and active as of probably fall of next year.

Hopefully that will happen before that but that seems to be a much more realistic goal for us.

Once the portal or before gets up and going we'll make sure we work with that vendor to create training materials we can share out with all interested parties they can have access to ask our staff won't necessarily be experts in this so we're going to be learning along with everybody else.

And as we can get support from the vendor we'll make sure we share that out but wanted to share that.

I think this is a huge win for Nevada.

It will be a hundred percent funded by VR program.

And everybody is going to have the ability to access.

Those are the three legislative gains we have.

Mechelle Merrill: I think Drazen Elez covered our big wins, but I think we're really excited especially about the Disability Benefits 101, that's going to be a big improvement for all of us in Nevada who are trying to help people understand their benefits.

I think that's going to do a lot for people because it's not meant for one program, it's not meant for one population but for everybody and it will be very user friendly, and we'll be working with our partners to make sure that we include that needs to be there and that it's a tool that isn't just another thing out there.

And I'm very excited about the job developers.

They are going to help us, more of people get jobs.

The session went very well for us, and I think the overall we're he very happy with it.

I'm thrilled about the raises for state employees.

That's going to help with retention.

That's been a huge problem for Voc Rehab.

The lack of raises, even Cost of Living was making it impossible because they couldn't compete with the county, different county programs, social service programs paid more than the State so they would lose good staff.

It felt like they were a training ground. The raises are not only personal happiness, but there’s also going to be a profound impact for their program.

Cindi Swanson: When we discuss Northern Nevada, rural Nevada and then Southern Nevada, so I live in Boulder City, and I did not realize when we moved here that this is considered rural.

So this area, which is just a little past Henderson, where do our folks in this part of the state get our support, from rural or Southern Nevada?

Mechelle Merrill: Speaking for Vocational Rehabilitation, and no other program, Voc Rehab's largest office is in Southern Nevada.

That's what we call our west bay office on Charleston and is we have a Henderson office.

I imagine because Henderson is the closest to Boulder City, you would be served from our Henderson office.

Cindi: Are we considered Southern not rural?

Mechelle: When we say rural, we mean Ely, Elko, Winnemucca, Fallon, Wendover, that whole central and northern eastern edge of the state.

Cindi Swanson: I appreciate the Benefits 101 that's, that's a real struggle around here for that so that's an important thing that we're getting.

It's very complex and we make mistakes and Social Security makes mistakes..

Drazen Elez: I would say that as we have looked at the issue with the lack of benefits planning in the state of Nevada, this was essentially the first step in that direction.

And probably the easiest one we can implement, it's an expensive project itself.

Us to get this project off the ground will cost about $600,000 and for small agency like VR, this is a significant level of funding that we're taking away from other aspects of VR and setting aside for development of this project.

What we're hoping is that in the next session as we go forward, that we will look at asking the legislature for specific position or positions to have in person to have a staff member within the VR program that would be able to provide these benefits.

Obviously that is some of that's out of our control that we can't decide solely, but we are as we plan that is part of our plan is to hopefully the next legislative session, ask for at least one individual that we will be able to hire to be experts in this.

And share that out with everybody and appreciate everybody's support as we go to legislature and the governor asking for these gains.

Mechelle: To your point about things being difficult, benefits planning is very difficult.

We have been told by other states who use the DB 101 website that it's quite easy.

We're good friends with Arizona and they have had it a few years now and say it's within a real help to the program and participants that you just must answer a few questions like how much you are receiving, what are you receiving and if you have your stub, you will know the answers to the questions.

It has calculators to say what if you worked 30 hours a week or 15 hours a week, so theoretically we're told it's easy.

We're hoping so but also hope it gives us the leverage perhaps to go to Legislature as we said and ask for a person.

Steven Cohen: Regarding the internal job developers, what is 700-Hour state model going to look like because of those additions?

Drazen Elez: Job developers are independent of the 700-Hour Program, the 700 Hour Program sits at a different spot.

They did not get a support person for this program as it was initially rolled out and expanded a few years ago, the VR program has not been granted the position to manage it.

While having additional staff will assist with them be able to share some of the workload, possibly, of managing that program, they can't kind of hope for much more significant changes than that.

Mechelle Merrill: We took a swing and not all swings connect.

They didn't get another body to run the 700 Hour is Program, but Tammy Riley is running that program and Mechelle thinks Tammy be able to focus more on it now that she has other team members that can do other things on her team.

They have done a summary of the last 12 months of the calendar year and are very happy to share that the state of Nevada itself is the number one full time employer of people with disabilities in the state of Nevada. In terms of the people that have been hired through voc rehab.

The State is demonstrating itself as a model employer and they are thrilled that the program is growing and have done a lot of marketing to the 700 Hour Program.

They know there was some legislative changes perhaps to some of the things that will affect how DHRM is helping State agencies to understand the program and disability in general so they will certainly be part of that and do their best to make sure that State agencies have disability sensitivity and awareness and all questions asked so they can do more hiring.

Drazen Elez: In us attempting to educate the state managers on how to 700 Hour Program and how VR can help support them we've worked on creating different training materials, training videos, for the state managers as well.

Just to hopefully simplify the process and hopefully reduce any kind of anxiety some managers may have about working with the VR program or any of our clients.

Steven Cohen: Second question relates to the transition additions.

How will that affect the 15% roll off.

I'm not sure that's the right word but 15 percent top line spend that's required under WIOA?

Drazen: While the federal government states that has been 15 percent of the overall VR grant, it's 15 percent that is required to be spent only on direct services.

So it does not include any kind of logistical or administrative support this program may need so. Realistically what it means for VR is that not 15 but 50% of our funding of the services are now required to be spent on transition youth on non-job-related services.

So this is just kind of education about the potential of the individual as they see what type of employment their career we want to enter.

Be a significant impact on what they can do and as 75% of our clients are non-transition clients, now we have 50% of that money to spend on them.

And 50% on the transition non transition potentially eligible clients, not even direct clients yet.

So to answer your question specifically, it would be very beneficial for the agency will help us spend, be a lot closer and hopefully reach that 15% required that we are asked.

It is not new 15 percent, we have had contracted transition coordinators these last few years, and the way it's presented is to legislature and the way it's true in we've been able to use these contracted positions to test out whether these positions would work if they were part of the state agency.

So we are essentially converting the contracted positions into permanent state positions.

Of course, these contracted positions would apply, and this would be these jobs would be open competitive as any of other state employee jobs would be, so we would lose those three contracted positions coordinators as we're now getting three permanent state employees.

So it will increase some of the spending they've had in PreETS but those positions directly, it won't be a huge change.

The change that will help with is ensuring that the programs that we have in place such as putting labs in different schools or having virtual job shadow program or having our summer internship program or sump camps put together for students with disabilities, we will hopefully see much better outcomes, much better consistency in the customer service we provide and able to and then improvement in the relationships we have with the various school districts and schools themselves.

As hopefully we reduce the attrition in these positions and turnover.

Although the net number of people will remain the same, that we have on staff, because they're going to go from 30 hours as contractors to 40 hours a week as state employees, those three people represent another really the equivalent to what another contractor would have been able to work.

So it is almost like we gained another person in terms of time.

So and I think we won't have quite the revolving door staff leaving and coming with contractors that we would hopefully with state employees.

Steven Cohen: What is the cutoff between transition and adult, 22 or 24?

Mechelle Merrill: Students end on their 22nd birthday and an out of school youth ends at age 24.

Mechelle Merrill: Posted in the chat: Pre-Employment Transition Services activities:

1. Counseling on post-secondary education opportunities2. Instruction on self-advocacy3. Job exploration counseling4. Work-based learning experiences5. Workplace readiness training

Questions can be emailed to Drazen Elez or Mechelle Merrill at: d-elez@detr.nv.gov and MWMerrill@detr.nv.gov

1. Updates from the Department of Health and Human Services (DHHS) Director’s Office 2023-2025 Biennium Regarding Budget Changes

 Marla McDade-Williams, Deputy Director - Programs

Marla McDade-Williams:

The full document can be found at: [7.6.23 SILC Legislative Subcommittee Meeting - Nevada SILC (nvsilc.com)](https://www.nvsilc.com/meetings/7-6-23-silc-legislative-subcommittee-meeting/)

The DHHS Director’s Office promotes the health and well-being of Nevadans through the delivery or facilitation of essential services to:

 Strengthen families

 Protect public health, and

 Help individuals achieve their highest level of self-sufficiency.

**Overview**

The Department of Health and Human Services (DHHS), authorized under Nevada Revised Statutes (NRS) 232.300, is responsible for coordinating all departmental programs, overseeing the Department’s budgets, and providing technical assistance to the Divisions within the Department. In addition to the Administration budget, the Director’s Office administers the following budgets: Grants Management Unit, Data Analytics, Indigent Hospital Care, Upper Payment Limit (UPL) Holding Account, Grief Support, Office of Minority Health and Equity, Developmental Disabilities, Fund for Resilient Nevada, and IDEA Part-C.

The Fund for a Resilient Nevada is codified at NRS 433.712 through 433.744, and it was established in 2021.

The Fund is overseen by the Department of Health and Human Services Director's Office to address the impacts, risks, and harms of opioid use.

This budget is funded with opioid settlement funds received through the Attorney General’s Office because of litigation concerning the manufacture, distribution, sale, or marketing of opioids

A statewide needs assessment and statewide plan must be completed at least once every four years to allocate the money in the Fund in accordance with NRS 433.738. The Advisory Committee for a Resilient Nevada makes recommendations to the DHHS Director regarding these responsibilities.

**Goal 1: Ensure Local Programs Have the Capacity to Implement Recommendations Effectively and Sustainably**

1. Proposed funding estimates:FY24$1,674,700;FY25$1,694,941
2. Projects include: The development of an Opioid Training and Technical Assistance Center to also house opioid coordinators who will be able to identify local capacity to implement programs, provide remediation to fill in gaps between current capabilities and implementation, and offer ongoing implementation support; working with the Nevada Indian Commission, and running a statewide pharmacist conference.

**Goal 2: Prevent the Misuse of Opioids**

1. Proposed funding estimatesFY24$2,185,000;FY25$2,100,000
2. Projects include Maternal Health Home Visiting Programs, Joint Task Force action plan to reduce the risk for overdose, ECHO clinics for non-pharmacological pain management, safe storage/disposal education and Multi-tiered System of Supports(MTSS) to expand into opioid prevention and identifying at risk youth in schools.

**Goal 3: Reduce Harm Related to Opioid Use**

1. Proposed funding estimates:FY24$1,490,000;FY25$1,490,000
2. Projects include Vending machine supplies (syringes), Naloxone, Fentanyl Test strips and Xylazine Test Strips

**Goal 4: Provide Behavioral Health Treatment**

1. Proposed funding estimates:FY24$2,700,000;FY25$1,500,000 (TBD)
2. Projects include Living Free Health & Wellness, Washoe County Dept of Alt Sentencing, Roseman University Empower Program, Carson City Community Counseling Center, Mobile Medications for Opioid Use Disorder

**Goal 5: Implement Recovery Communities across Nevada**

1. Proposed funding estimates: TBD

**Goal 6: Provide Opioid Prevention and Treatment Consistently across the Criminal Justice and Public Safety Systems**

1. Proposed funding estimates: TBD, but are included in other areas
2. Projects that cross into this goal include Rural County Jail Survey, Washoe County Department of Alternative Sentencing STAR program expansion, Carson City Community Counseling Residential Treatment Beds, handheld mass spectrometers, Medicaid90-daywaiver .

**Goal 7: Provide High Quality and Robust Data and Accessible, Timely Reporting**

1. Proposed funding estimates:FY24$743,597;FY25$520,025
2. Projects include Partnering with Division of Emergency Management on the purchasing and training of handheld mass spectrometers, Poison Control Hotline and All Payer Claims Database

The Grants Management Unit (GMU) administers, monitors, and audits the following programs:

* 1. Title XX Social Services Block Grant(SSBG)
	2. Community Services Block Grant(CSBG)
	3. Fund for a Healthy Nevada (tobacco settlement)

The GMU is authorized pursuant to NRS 232.330, and the Grants Management Advisory Committee is established pursuant to NRS 232.383-232.387.

**Title XX Social Services Block Grant**

1. Used to support social services directed towards achieving economic self-sufficiency; preventing or remedying neglect, abuse, or the exploitation of children and adults; preventing or reducing inappropriate institutionalization; and securing referrals or institutional care, where appropriate
2. Federal law establishes the five broad goals for the SSBG. Social services funded by states must be linked to one or more of these goals. The five goals are:
	* 1. Achieving or maintaining economic self-support to prevent, reduce, or eliminate dependency;
		2. Achieving or maintaining self-sufficiency, including reduction or prevention of dependency;
		3. Preventing or remedying neglect, abuse, or exploitation of children and adults unable to protect their own interests, or preserving, rehabilitating, or reuniting families;
		4. Preventing or reducing inappropriate institutional care by providing for community-based care, home-based care, or other forms of less intensive care; and
		5. Securing referral or admission for institutional care when other forms of care are not appropriate or providing services to individuals in institutions.

Annually, the SSBG in Nevada receives approximately $14,800,000.

**Community Services Block Grant**

The Community Service Block Grant (CSBG) provides funds to alleviate the causes and conditions of poverty in communities and supports projects that lessen poverty in communities; address the needs of low-income individuals including the homeless, migrants and the elderly; and provides services and activities addressing employment, education, better use of available income, housing, nutrition, emergency services and/or health.

With the support of CSBG funding, states, and Community Action Agencies (CAA) work together to achieve the following goals for low-income individuals:

1. Increased self-sufficiency
2. Improved living conditions
3. Ownership of pride in their communities
4. Strong family and support systems

Annually, the CSBG program in Nevada receives approximately $3.7 million.

BA 3195 Grants Management Unit

**Fund for Healthy Nevada (Tobacco Settlement)**

The determination for allocation is ultimately decided upon by the Director of DHHS and recommendations are required to be provided by the Grants Management Advisory Committee (GMAC) to assist in decision making –GMAC meets quarterly, and meetings should include presentations, reports etc. that assist the members in making their biennial recommendations. In addition to meeting information, the biennial Needs Assessment is meant to assist members in this determination.

The DO-GMU considers the FHN dollars in 2 separate columns:

1. Those we administer directly, and
2. Those sent from Controller to sister agencies to directly administer.

Senior Rx

$ 1,139,210

$ 610,241

$ (528,969)

Senior Independent Living

$ 12,871,626

$ 13,417,502

$ 545,876

Assisted Living

$ 400,000

$ 400,000

Cessation

$ 2,200,339

$ 2,203,233

$ 2,894

Wellness

Office of Minority Health-Minority Health Coalition

$ 278,963

$ 658,415

$ 379,452

Federally Qualified Health Center Incubator Project

$ 1,400,000

$ 1,400,000

Suicide Prevention

$ 778,980

$ 791,960

$ 12,980

Hunger

$ 4,331,201

$ 4,331,144

$ (57)

SafeVoice Program

$ 1,218,692

$ 1,218,692

Immunization

$ 300,000

$ 300,000

2-1-1 Support

$ 1,713,146

$ 1,704,911

$ (8,235)

Wellness for Family Services

$ 2,000,000

$ 2,000,000

Differential Response

$ 2,700,000

$ 2,585,733

$ (114,267)

Family Resource Centers

$ 3,400,000

$ 3,410,000

$ 10,000

Public Health Districts

$ 2,000,000

$ 2,000,000

Consumer Health Assistance

$ 385,288

$ 399,432

$ 14,144

So NV MOST Program

$ 2,361,944

$ 2,361,944

$ -

No NV MOST Program

$ 1,154,772

$ 1,154,772

Public Health Preparedness

$ 368,254

$ 439,741

$ 71,487

Northern NV Mobile Crisis Unit

$ 1,437,080

$ 1,437,080

Southern NV Mobile Crisis Unit

$ 3,168,756

$ 3,168,756

Rural NV Mobile Crisis Unit

$ 1,389,146

$ 1,389,146

Disability Services

Respite

$ 1,280,000

$ 1,280,000

Positive Behavior Support

$ 640,000

$ 640,000

Independent Living Grants

$ 1,100,000

$ 1,100,000

Family Preservation

$ 400,000

$ 400,000

Aging & Disability Services Administration

$ 776,135

$ 821,868

$ 45,733

Director's Office Administration

$ 1,138,193

$ 517,644

$ (620,549)

Treasurer's Office Administration

$ 137,349

$ 138,920

$ 1,571

**TOTAL**

2022-23 Biennium: $ 50,469,074

2024-25 Biennium: $ 52,281,134

Change: $ 1,812,060

**BA 3203 Data Analytics**

**Overview**

The Office of Analytics provides DHHS staff, media, legislators, and the public a consistent location to request data to support grant funding, drive policy, and inform the public. The Office focuses on utilizing coordinated and advanced cross-divisional analytics to drive policy and decision making across the Department of Health and Human Services. This collaboration enables department-wide improvements to the consistency and quality of analytic products being produced and disseminated by DHHS.

Data and information can be found at [DHHS.nv.gov/analytics](https://dhhs.nv.gov/analytics/)

ADSD– Aging and Disability Services

Division

BA – Budget Account

DCFS – Division of Child and Family Services

DHCFP – Division of Health Care Financing and Policy

DD – Developmental Disabilities DHHS – Department of Health and Human Services

DO – Director’s Office

DPBH – Division of Public and

Behavioral Health

DWSS – Division of Welfare and Supportive Services

IDEA - Individuals with Disabilities Education Act

UPL – Upper Payment Limit

Questions can be emailed to Marla McDade Williams at: mmcdadewilliams@dhhs.nv.gov

1. Discussion Regarding Aging and Disability Services Division (ADSD) Agency and Direct Impact Bills from the 82nd Legislative Session
* AB 78: Jobs and Day Training Medication Administration - Exempts certain providers of jobs and day training services from licensure as nurses.

[AB78 Text (state.nv.us)](https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bill/9658/Text)

* AB 206: Deaf Commission Interpreter Seat - Revises provisions governing the Nevada Commission for Persons Who Are Deaf and Hard of Hearing.

[AB206 Text (state.nv.us)](https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bill/9920/Text)

* SB 4: Senior and Disability Rx Program - Revises provisions governing certain programs to pay for prescription drugs, pharmaceutical services, and other benefits.

[SB4 Text (state.nv.us)](https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bill/9504/Text)

* SB 43: ADSD Boards and Commissions – Makes various changes relating to services for aging persons and persons with disabilities.

[SB43 Text (state.nv.us)](https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bill/9597/Text)

Miles Terrasas: Doesn’t change how the Commission of Aging membership has flexibility within the county seats. It’s a little restrictive the way it’s currently written.

Steven Cohen, Subcommittee Chair

1. Updates from ADSD 2023-2025 Biennium Regarding Budget Changes

Jeff Duncan, Agency Manager

The full document can be found at: [7.6.23 SILC Legislative Subcommittee Meeting - Nevada SILC (nvsilc.com)](https://www.nvsilc.com/meetings/7-6-23-silc-legislative-subcommittee-meeting/)

Jeff Duncan: He went over his presentation budget account by budget account.

People will see references in this that Aging and Disability Services Division (ADSD) pulled their decision units out of their budget.

There are two different types when looking at a budget.

M unit maintenance unit, that's their caseload mandates and if those things go according to plan, they get funded because of the methodology behind caseload growth.

The other decision units here are called E units, enhancements.

Those do require budget approval and new money to fund such things.

It is easier to break it down budget account by budget account.

**Aging and Disability Services Division (ADSD) Budget Presentation FY 2024 – FY 2025**

New Budget Accounts

In the legislatively approved budget, the ADSD received 4 new budget accounts listed below. The new budget accounts will allow for increased transparency within their respective areas.

* 3283 – Statewide Independent Living Council
* 3282 – Adult Protective Services/Long Term Care Ombudsman Program
* 3271 – Facility Outreach and Community Integration Services (FOCIS) & Money Follows the Person (MFP)
* 3278 – Planning, Advocacy, and Community Grants, all their grant funding, state general funds, tobacco settlement dollars, et cetera, so that's now in its own stand-alone budget account for transparency and for tracking purposes, kind of a nightmare with everything housed under one budget account. In the last ten years, their agency as continued to grow but these three areas did not grow with the caseload growth, new programs, and new funding with ADSD. During this latest legislative session, they were finally able to get some wins in the budget to support their growth, and support to add additional information technology, human resources, and a fiscal team member to help with overall operations of the agency.

Budget Account 3151 – Administration and Federal Programs, the nuts and bolts behind the scenes that make their agency go.
No agency can run the wonderful programs and all the services ADSD has without their information technology, human resources, and then obviously their fiscal department.

* E225 – Information Technology (IT) positions to support ongoing agency operations (1 IT Manager, 3 IT Professionals, 1 IT Technician).
* E226 – Human Resources (HR) positions to support ongoing agency operations (1 Personnel Officer, 1 Personnel Analyst, 1 Personnel Technician, 1 Administrative Assistant).
* E227 – Fiscal position to support ongoing operations and new budgets added during the previous biennium (1 Administrative Service Officer).
* E228 – Out of state travel funds for executive staff to attend nationwide conferences.
* E230 – Software for electronic signature capabilities.

Budget Account 3156 - Senior Rx and Disability Rx, this gives them the ability to combine the categories into one direct service line item and then gives the program the flexibility to shift funds based on need. With Senate Bill 4, the beauty with that getting passed this session, is that now during this legislative session they approved ADSD to remove the criteria that has to be directly administered by the department within DHHS or ADSD.
They are now in the process of starting conversations about what that might look like because currently it is a Medicare only program so only those who have a Medicare part D plan qualify for this funding.
With the Senate Bill 4 and the flexibility with the combination of these categories, now they will be able to engage, they will talk about SILC, talk about their Commission on Aging (COA), CSPD, and see where they might potentially drive this funding still around prescription assistance but for a much broader population.
So luckily this now gives them that flexibility where they can triage efforts on that.

* E229 combines expenditure categories 19 and 16.

Steven Cohen: Asked about the half million-dollar reduction in the Director’s Office presentation.

Jeff Duncan: That's because of their reduction of the utilization of this program so therefore, what they spent in their base budget is what they got in this last legislative session.

They hope with the new program if they are successful and F can create a program that will work, they can demonstrate the need unfortunately that means a wait list, they can at least demonstrate they need additional funding to support this type of service.

That's why the reduction because of the overall caseload projections.

Right now there's less than 400 people in the program that a few years ago, used to be quadruple that number but with all changes in the Medicare landscape, the closing of the doughnut hole, but with the plans being competitive having a zero premium on their plans, many individuals didn't even need this program any longer.

That's why they have seen such a reduction in the caseload.

Developmental Services

* E250 – Increase in provider rates based upon a rate study by Burns and Associates. The anticipated rate increases will hopefully reduce service wait lists and wait times because their providers are able to continually grow with the individual served and hopefully the new rates will help address some of that workforce shortage that they have seen across the state.

Steven Cohen: Which rates were affected?

Jeff Duncan: He will get that information and get it back to Steven.

* E252 – Increase in monthly allotment rate for Fiscal Intermediary program from $450 to $650. He is happy to take questions back to Developmental Services and report back to this subcommittee.
* E255 – Contractual Board-Certified Behavioral Analyst to support individuals with high behavioral and complex needs (RRC and SRC only).

Budget Account 3166 Family Preservation Program

* E240 – Increase in the monthly allotment from $374 to $486. So the preservation program is available only to families caring for a family member with severe or profound intellectual disabilities.
Living in the home that was pursuant to NRS 435365.
Due to the program guidelines, relatively small number of individuals were served by the regional centers who would qualify for the program but hopefully with this recommendation that the allotment increase will have a benefit on the families who do qualify for the program.
And have not seen an increase in this area since fiscal year 2009.

This category is the m units, which is the maintenance caseload.
As part of the budget request working the office of data analytics that you heard earlier from the director's office, this gets put into these formulas and scenarios and they are able to see what the projection population growth and need and then they get slots for certain of their programs.
The first one is around personal assistance services then their COPE program and then also their waivers that are administered by Medicaid.
All that goes into the formula and then they get slots.
Like everybody else, ADSD is facing a severe vacancy rate with their individuals who perform their intake functions, to the case managers who do the direct service.
While they might have received caseload growth, they are not even able to fill the current vacancies for somebody who can get on a waiver or maybe even their state programs, the COPE and PAS programs so while they might have received these, they probably won't be able to fill them until they address their current vacancy rates.
In fact, in the closing document some of these positions that did get released, they have to provide justification that they are actually able to fulfill them, sustain them, over the next two fiscal years.
Regarding his program that are intake for the waivers, was down about a 50% vacancy rate when they went through the session and then their ongoing case management doing the direct service, about a 30%.
None of that is changed dramatically since the session, they too are hopeful the rate of pay increases will make it very attractive for them to get maybe new people and retain their team members currently.
But some has yet to be seen on that.
The other ones were some reductions in the wait lists for COPE and PAS and then the last one was the caseload for Adult Protective Services and the Long‑term Case Ombudsman program who are also facing vacancy rates in their current programs, APS was about 50 percent during the session and long‑term Care Ombudsman around 25 percent.

But the vacancy rates they face do direct their ability to get people on to the programs and give them quality services.
They are hopeful some things will come to be with the new increases in state pay.

Steven Cohen: Is the IDEA waiver covered by Developmental Services or is it supposed to be in HCBS

Jeff Duncan: That's under Developmental Services.

Continuing for Home and Community Based Services budget accounted 3266.
Many of these are being shifted around and may not stay under the same budget account but they were under this so the first one there is American Rescue Plan (ARPA), through the federal government.
ADSD got to continue seven positions that they were able to hire during the pandemic to help ADSD with the millions of dollars of emergency funding that they received.
They also got some seed funding for some regional coordinators and they were lucky enough to get state general funds to sustain them going forward.
His job is also funded for now.
The rate increases for COPE and PAS this was State General Funds but mirrored rate increases for Medicaid agency.
And then the last two for is a new Program Officer for the guardianship program and they have seen an increase in cases regarding petitions for guardianship that specifically from Adult Protective Services is, Developmental Services, and even some of their waiver clients.
So we were lucky to get a new position to assist with that.
Regarding the crisis support services, ADSD’s adult protective services received some funding to help clients with rent, food, bed bug remediation, et cetera. The last one is the reclassification of the Adult Protective Services Social Worker II positions and Social Work IIIs and even the supervisors to really mirror some of the other individuals who were doing this for state agencies and address the increased complexity they've dealt with.

Dawn Lyons: Asked if those enhancements were from the emergency funding he was talking about. There was some talk about eliminating the wait list for the state Independent Living program.
Asked if he could explain a little bit about that or does it belong somewhere else.

Jeff Duncan: That specific funding to address the wait list for the Independent Living program was not in ADSD’s budget.

That was through the Governor's fiscal recovery funds. That's in process now but it wasn't part of ADSD’s actual budget request.

The last part is the transfer of the Medicaid programs.
FOCIS and MFP.
Everything is about transferring the funding and individuals but ADSD is excited about the opportunity to embed these two programs into the ADSD operations.
They just started on that Monday.
Transitioning over unfortunately similar to other programs facing major vacancies right now and both the grant funded Money Follows The Person and in the FOCIS program, but they are excited to at least work with individuals who were here now and see if they can't build these programs.
FOCIS is really intended to provide an alternative to institutional settings for Medicaid beneficiaries, then the other part for the Money Follows The Person that really helps shifting costs from nursing home to help people transition out of a nursing home back into the community, FOCIS has a charge to help with the transition services.
Money Follows The Person in theory, helps with some of the funding and payer FOCIS does the outreach and transition work.

Steven Cohen: Are those the statewide numbers for positions?

Jeff Duncan: The Money Follows the Person program specifically, those three positions were in Las Vegas. Unfortunately, only one of the three are filled.

They have two vacancies in that grant funded program.

Then for the FOCIS program, there's a total of ten team members statewide consisting of a supervisor, a nurse, administrative assistant, and then seven healthcare coordinators.

Six of those were in the south and ADSD worked with Medicaid to transfer one position up to the North.

So a total of ten team members for FOCIS.

Supervisor, nurse, administrative assistant and then seven healthcare coordinators.

Miles provided the Developmental Service Rates Memo and it is available for download on the SILC’s website: [7.6.23 SILC Legislative Subcommittee Meeting - Nevada SILC (nvsilc.com)](https://www.nvsilc.com/meetings/7-6-23-silc-legislative-subcommittee-meeting/)

Steven Cohen: Asked Jeff to discuss SB 43.

Jeff Duncan: It doesn't really change how the Commission on Aging membership is allowed flexibility within the county seats.

It's a little restrictive the way it's currently written, just cleaned up language and then also language to the state plan as well.

ADSD just added some additional language that made it more streamlined for reporting.

1. Updates Regarding the Division of Public and Behavioral Health (DPBH) 2023-2025 Biennium Budget Changes

 Julie Lindesmith, Agency Manager, Northern Nevada Adult Mental Health Services

(NNAMHS)

The full document can be found at: [7.6.23 SILC Legislative Subcommittee Meeting - Nevada SILC (nvsilc.com)](https://www.nvsilc.com/meetings/7-6-23-silc-legislative-subcommittee-meeting/)

Julie Lindesmith: In addition to the information below, she briefly went over the Division of Public and Behavioral Health Organizational chart.

Summary of Agency Sections

* **Community Health Services:** provides core public health prevention programs and services by establishing and maintaining relationships with community partners, identifying, and maximizing resources, and collaborating to improve public health outcomes for all communities within Nevada.
* **Office of State Epidemiology:**provides a comprehensive epidemiology structure that focuses on infectious disease, environmental, occupational, chronic disease, health equity, and facility-based epidemiology. This section is responsible for statewide standards and systematic data collection across the state. This section also supports preparation, prevention of outbreaks and poor health outcomes, and surveillance efforts which can help inform upstream policies and decisions across DHHS.
* **Regulatory and Planning Services:** provides licensing and certification of healthcare facilities, childcare facilities, medical laboratories and personnel, dietitians, music therapists and food establishments. This section is also responsible for vital records (birth/death and marriage/divorce records), medical marijuana regulation, emergency medical systems, public health preparedness and radiation control.
* **Clinical Services:** provides direct services for those suffering from mental illness by operating inpatient hospitals at both ends of the state.  The civil hospitals include Rawson-Neal, in Las Vegas, and Dini-Townsend, in Sparks. The forensic hospitals include Lakes Crossing Center and Stein Muri Forensic Hospital. Additionally, outpatient services are provided statewide, including the rural and frontier communities for public and mental health needs.
* **Behavioral Health Policy:** provides oversight and quality assurance to behavioral health providers statewide; designs, plans, funds, and implements systems of care, including behavioral health prevention, early intervention, treatment and recovery support services; establishes funding priorities for behavioral health services and supports through close collaboration with communities and stakeholders; evaluates outcomes of behavioral health interventions; and guides policy and financing options across DHHS.
* **Administrative Services:** provides leadership, support for fiscal services, human resources and information and technology.
* **Public Health Infrastructure and Improvement** provides oversight of statewide improvement in public health infrastructure and improvement. This includes workforce initiatives, public health accreditation, data modernization, and public information.

Behavioral Health Budget Accounts Only
Budgeted Funding Sources
2022-23 and 2024-25 Biennium

Legislatively Approved 2022-2023 Biennium

General Fund: $294,708,313 68%

Federal: $99,438,606 23%

Other: $41,324,523 9%

Total: $1,015,540,352

Legislatively Approved 2024-2025 Biennium

General Fund: $325,499,821 53%

Federal: $114,040,680 19%

Other: $174,232,438 28%

Total: $1,143,581,919

Summary by Budget Account is posted on the SILC website: [7.6.23 SILC Legislative Subcommittee Meeting - Nevada SILC (nvsilc.com)](https://www.nvsilc.com/meetings/7-6-23-silc-legislative-subcommittee-meeting/)

BA 3161 Southern Nevada
Adult Mental Health Services

**Overview**

* **Civil:**  Behavioral Health Services, in Clark County, provide inpatient and outpatient treatment for individuals with mental illness.
* **Forensic:** Treatment and evaluation services to mentally disordered criminal offenders for whom there is a doubt regarding their competency to proceed with adjudication.
* **Overview:**
	+ With minor deviations for employees with a collective bargaining agreement, all employees generally received a 12% compensation increase in SFY24 and 23% (12% + 11%) increase in SFY25 (note PERS contribution increases 7% in SFY25 for a net increase of 12% + 4% = 16%).
	+ Correctional Lieutenants positions statewide received an additional one-grade (5%) compensation increase
	+ Correctional Sergeant, Senior Correctional Officer, Correctional Officer, Correctional Officer Trainee and Forensic Specialist positions statewide received an additional two-step (10%) compensation increase.

**Adult Mental Health Services**

 **Budget Information/Changes**

Budget funded through General Fund, federal funds, and other funds (such as inter-agency transfers, Medicaid, Medicare, and private insurance).

**Enhancements**

M201 – Requests one additional contract Psychiatrist for medication clinic services caseload.

SFY24 Total Cost – $254,266 State General Fund – $254,266

SFY25 Total Cost – $344,171 State General Fund – $344,171

E380 – Requests transitioning 12 Intermittent Temporary Forensic Specialists positions to permanent FTEs along with operating costs to maintain 13 additional forensic beds.

SFY24 Total Cost – $1,194,596 State General Fund – $1,194,596

SFY25 Total Cost – $1,236,283 State General Fund – $1,236,283

E381 – Requests 21 Forensic Specialist FTEs for the Rawson Neal D-Pod to provide 24-hour direct care services to court ordered forensic clients.

SFY24 Total Cost – $1,681,145 State General Fund – $1,681,145

SFY25 Total Cost – $2,296,874 State General Fund – $2,296,874

E382 – Requests 16 new Psychiatric Nurse positions for the Rawson Neal D-Pod to provide 24-hour patient care for forensic clients.

SFY24 Total Cost – $1,570,921 State General Fund – $1,570,921

SFY25 Total Cost – $2,075,349 State General Fund – $2,075,349

E383 – Requests one Forensic Psychologist FTE and one contract Forensic Psychiatrist for Stein forensic services.

SFY24 Total Cost – $394,196 State General Fund – $394,196

SFY25 Total Cost – $532,036 State General Fund – $532,036

E673 – Requests a two-grade increase for Correctional Sergeant, Forensic Specialist 3, and Forensic Specialist 4 FTEs.

SFY24 Total Cost – $663,756 State General Fund – $663,756

SFY25 Total Cost – $687,055 State General Fund – $687,055

E674 – Requests a one-grade increase for Correctional Lieutenant.

SFY24 Total Cost – $4,406 State General Fund – $4,406

SFY25 Total Cost – $4,461 State General Fund – $4,661

 **Adult Mental Health Services**

 **Overview**

Civil:  Behavioral health services, in Washoe County, provide inpatient and outpatient treatment for individuals with mental illness.

**Budget Information/Changes**

Budget funded through General Fund, federal funds, and other funds (such as inter-agency transfers, Medicaid, Medicare, and private insurance).

**Enhancements**

M202 – This request eliminates three Psychiatric Caseworker positions and associated costs based on caseload adjustments.

SFY24 Total Cost – ($217,455) State General Fund – ($217,455)

SFY25 Total Cost – ($228,638) State General Fund – ($228,638)

**BA 3165 Crisis Response**

 **Overview**

The mission of the Crisis Response System is to stand up a comprehensive Suicide Lifeline Program, as defined in NRS 433.702 through 433.710. This includes establishing and maintaining standards for crisis stabilization centers and a network of such centers, certifying and funding designated mobile crisis teams, collecting, managing, and obligating the revenue generated from the fee imposed on telecommunications providers, and ensuring the Suicide Lifeline meets and maintains standards.

 **Budget Information/Changes**

Budget funded through fees.

**Enhancements**

E225 – This request adds ten FTEs (one Health Program Manager position, three Health Program Specialist positions, two Management Analyst positions, one Public Information Officer position, one Quality Assurance Specialist position, one Accounting Assistant position, one Administrative Assistant position) and associated operating costs to support emergency crisis response activities.

SFY24 Total Cost – $686,239 State General Fund – $0

SFY25 Total Cost – $757,397 State General Fund – $0

E226 – This request transfers funding to the DHHS DO Data Analytics Office to support one new Biostatistician positions.

SFY24 Total Cost – $85,429 State General Fund – $0

SFY25 Total Cost – $113,285 State General Fund – $0

E227 – Requests to fund one existing Clinical Program Planner II FTE and fund emergency crisis response activities with crisis response telecommunications fees.

SFY24 Total Cost – $14,275,150 State General Fund – $0

SFY25 Total Cost – $13,958,015 State General Fund – $0

**BA 3168 Behavioral Health Administration**

**Overview**

Working in partnership with consumers, families, advocacy groups, agencies, and diverse communities, the Behavioral Health Administration Office provides responsive services and informed leadership to ensure quality outcomes.

**Budget Information/Changes**

Budget is funded through cost allocation and other funds (such as inter-agency transfers and Medicaid Admin).

**Enhancements/transfers**

E226 – Requests one Administrative Services Officer IV FTE to provide fiscal oversight and management of Behavioral Health budget accounts.

SFY24 Total Cost – $163,185 State General Fund – $0

SFY25 Total Cost – $155,847 State General Fund – $0

**BA 3170 Behavioral Health Wellness,
Prevention and Treatment**

**Overview**

The mission of the Bureau of Behavioral Health Wellness, Prevention and Treatment is to reduce the impact of substance abuse and mental illness in Nevada. This is accomplished by identifying and responding to the alcohol and drug concerns of Nevadans, facilitating a continuum of care through high quality education, prevention, and treatment services by providing oversight and funding for community-based, public, and private nonprofit organizations.

**BA 3645 Lakes Crossing Center**

Overview

Lakes Crossing Center (LCC) provides treatment and restoration services to mentally disordered criminal offenders for whom there is a doubt regarding their competency to proceed with adjudication. These services are provided on an inpatient basis. The facility also treats clients determined Not Guilty by Reason of Insanity and un-restorable clients who are too dangerous to commit to a civil psychiatric hospital.

Budget Information/Changes

Budget funded through General Fund and other funds including Social Security Administration and forensic certification training fees.

Enhancements

E673 – Requests a two-grade increase for Senior Correctional Officer, Forensic Specialist III, and Forensic Specialist IV FTEs.

SFY24 Total Cost – $453,957 State General Fund – $453,957

SFY25 Total Cost – $465,532 State General Fund – $465,532

E674 – Requests a two-grade increase for Correctional Lieutenant FTEs.

SFY24 Total Cost – $5,538 State General Fund – $5,538

Overview

Rural Clinics provides a full array of outpatient behavioral and/or mental health services, including collaborating with community partners to ensure timely access to services for people of all ages who are living in Nevada’s twelve rural and frontier counties.

**BA 3648 Rural Clinics**

**Budget Information/Changes**

Budget funded through General Fund, federal funds, and other funds (such as inter-agency transfers, Medicaid, Medicare, and private insurance).

**Enhancements**

E228 – Requests additional office space at the rural clinics in Fernley, Yerington, and Panaca.

SFY24 Total Cost – $89,794 State General Fund – $89,794

SFY25 Total Cost – $36,807 State General Fund – $36,807

E350 – Requests additional funds for Mental Health Court rental assistance.

Appropriations Act - Back Language

Authorized to transfer the sums appropriated to DPBH for the Lakes Crossing Center, Northern Nevada Adult Mental Health Services and Southern Nevada Adult Mental Health Services budget accounts between those budget accounts with the approval of the Interim Finance Committee upon the recommendation of the Governor.

Authorized the sums appropriated to the DPBH for deferred maintenance and extraordinary maintenance projects approved within agency budgets to be available for both fiscal years and transferred within the same budget account from one fiscal year to the other with the approval of the Interim Finance Committee upon the recommendation of the Governor.

**Acronyms**

BA- Budget Account

BH- Behavioral Health

BHP&T- Behavioral Health, Prevention and Treatment

CC- Carson City

DHHS- Department of Health and Human Services

DO- Director’s Office

DPBH- Division of Public and Behavioral Health

FTE- Full Time Equivalency

FY- Fiscal Year

LCC- Lakes Crossing Center

LV- Las Vegas

NNAMHS- Northern Nevada Adult Mental Health Services

NRS- Nevada Revised Statutes

PCN- Position Control Number

RE- Reno

SNAMHS- Southern Nevada Adult Mental Health Services

Steven Cohen: Going back to the budgetary pie chart toward the beginning of of the presentation, it looks like there was a significant increase in the other funding, he asked if she knew what buckets of money compromise another category.

Julie Lindesmith: It's mostly their Medicaid, and Medicare billing, she thinks the reason it was so low the last biennium was that there was a problem with their clearinghouse, and they weren't collecting, that's been resolved.

Dawn Lyons: Asked if the new forensic specialist positions were just in Southern Nevada.

Julie Lindesmith: Yes.

1. Discussion Regarding Education Bill from the 82nd Legislative Session
* SB 158: Proposes Cameras in Special Education Classrooms - Requires video cameras to be installed in certain classrooms used for special education within a public school.

[SB158 Text (state.nv.us)](https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bill/9864/Text)

Steven Cohen, Subcommittee Chair

Steven Cohen: That bill died, but they are hoping to bring it back when they get to their actionable items and hope to bring that back next session.

1. Discussion Regarding the Division of Health Care Financing and Policy (DHCFP) / Medicaid Bills from the 82nd Legislative Session
* AB 68: Regional Facilities Assessments - Revises provisions governing the assessment imposed on certain counties for the operation of a regional facility for the treatment and rehabilitation of children.

[AB68 Text (state.nv.us)](https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bill/9624/Text)

* AB 69: Mental Health - Expands the loan repayment program administered by the Nevada Health Service Corps to include certain providers of behavioral health care.

[AB69 Text (state.nv.us)](https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bill/9625/Text)

* AB 99: Medicaid Reimbursement Rates - Revises provisions governing Medicaid rates of reimbursement.

[AB99 Text (state.nv.us)](https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bill/9693/Text)

* AB 138: Behavioral Health Integration - Provides Medicaid coverage for certain types of behavioral health integration services.

[AB138 Text (state.nv.us)](https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bill/9788/Text)

* AB 265: Children’s Mental Health - Revises provisions relating to mental health.

[AB265 Text (state.nv.us)](https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bill/10032/Text)

* AB 435: Behavioral Health Co-Occurring Disorders - Revises provisions governing behavioral health.

[AB435 Text (state.nv.us)](https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bill/10407/Text)

* SB 45: Changes to Medicaid’s Personal Needs Allowance - Establishes the amount for the personal needs allowance provided to certain recipients of Medicaid.

[SB45 Text (state.nv.us)](https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bill/9599/Text)

* SB 68: Affordable Housing and Behavioral Health - Establishes programs to provide certain assistance relating to housing.

[SB68 Text (state.nv.us)](https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bill/9638/Text)

* SB 119: Telehealth Access Post-COVID - Provides for the continuation of certain requirements governing insurance coverage of telehealth services.

[SB119 Text (state.nv.us)](https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bill/9766/Text)

Steven Cohen, Subcommittee Chair

Steven Cohen: These bills were addressed at the last meeting.

1. Discussion Regarding Autism Spectrum Disorder/Fetal Alcohol Syndrome Bills from the 82nd Legislative Session
* AB 137: Fetal Alcohol Spectrum Disorder Diagnosis - Revises provisions relating to fetal alcohol spectrum disorders.

[AB137 Text (state.nv.us)](https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bill/9787/Text)

* AB 422: Fetal Alcohol/Autism Spectrum Disorders Pilot Program - Revises provisions relating to fetal alcohol spectrum disorders.

[AB422 Text (state.nv.us)](https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bill/10390/Text)

* SB 191: Changes to Applied Behavior Analysts’ Requirements – raised the age cap for autism applied behavioral analysis to the end of persons 26 year, so 27th birthday and raised the fee to become either an RBT or board certified or BCBA and BC behavior analyst.

[SB191 Text (state.nv.us)](https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bill/9938/Text)

* SB 411: Changes to Autism Court and/or Autism Commission Membership - Makes various changes related to services provided to persons with autism spectrum disorders.

[SB411 Text (state.nv.us)](https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bill/10420/Text)

Steven Cohen, Subcommittee Chair

Steven Cohen: All four of these bills were passed.

1. Discussion Regarding Persons with Disabilities’ Rights and/or Language Recognition from the 81st and 82nd Legislative Sessions
* AJR 1 (81st Session): Persons with Disabilities’ Language Recognition Constitutional Amendment
* SB 315: Persons with Disabilities' Bill of Rights - Makes revisions relating to the rights of persons with disabilities and persons who are aged.

[SB315 Text (state.nv.us)](https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bill/10206/Text)

Steven Cohen, Subcommittee Chair

Steven Cohen: That was split up between adults in transition and enumerated several rights people with disabilities will now have. Among them, the ability to have state employees as supporters in a supportive decision-making agreement, and then to have people available at meetings such as adults that are staying in high school until 22, being able to have their parents at IEPs.

Cindi Swanson: On the legislation creating civil rights, Steven mentioned something that is so significant that if an individual wants somebody to be at an IEP meeting with them, what exactly does that mean?

So, someone is 18, their parents don't get invited?

Steven Cohen: Typically, unless there's a guardianship in place, parents do not get invited after 18.

Cindi Swanson: How is that operationalized for families?

Steven Cohen: This is Senate Bill 315, the student has the right to be involved in the IEP, not the parents. That may need to be corrected in the next legislative session.

Dawn Lyons: Asked if supported decision-making rights would be affected.

Steven Cohen: If there is something institutionalized within the school system and families know that, then Supported Decision making could be it, but unless there's an agreement with the school, the school does not have to let parents know about whether the parents have decision making but if there's a specific delegation of rights that parents sign off and say the student and I agree that I will be part of these meetings, it's really not operationalized with Supported Decision making.

So a parent may not even get a letter that a meeting is happening.

He has witnessed this before; a parent may not get a letter with that acknowledgment unless parents let the school know.

Legislatively, that must be called out specifically, but it is up to the student to say that they do want their parents present.

But it must be something that the school is aware of and if the school is letting families know that this is a possibility.

There are two more years to work on it.

Dawn Lyons: That would be a good thing to bring to the SILC’s full council. The SILC could then bring this issue to the legal advocates in ADSD because they are the ones who pushed for that supported decision-making bill and maybe they could improve it or help push that forward through the so the school system has something in policy.

Cindi Swanson: In Illinois it was a policy, it became a specific policy because parents didn't know they could do it. Illinois schools must let students and families know the day the student turned 18.

Steven Cohen: He is waiting on a response from his assemblywoman regarding Supported Decision making as one of the things he is going to be seeking to correct next legislative session. Once that happens he will make that available for discussion.

One of the meeting materials released that morning was a status report on most of the bills that are on this agenda as well as other bills as well that was from the DD Council.

1. Discussion Regarding Mental/Behavioral Health and/or Generic Health Care Bills from the 82nd Legislative Session
* AB 37: Behavioral Health Workforce Development Center - Authorizes the establishment of the Behavioral Health Workforce Development Center of Nevada.

[AB37 Text (state.nv.us)](https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bill/9566/Text)

* AB 100: Family Caregiver Program - Provides for certain assessments relating to caregivers.

[AB100 Text (state.nv.us)](https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bill/9694/Text)

* AB 116: Down's Syndrome Information Act - Requires the provision of information and referrals concerning Down syndrome under certain circumstances.

[AB116 Text (state.nv.us)](https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bill/9730/Text)

* AB 414: Health Care Power of Attorney - Revises provisions governing powers of attorney. That was clean up language to healthcare power of attorney document for more plain language for folks to understand it.

[AB414 Text (state.nv.us)](https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bill/10376/Text)

* SB 237: Crisis Intervention Hotline (Mental Health 988) - Revises provisions relating to crisis intervention

[SB237 Text (state.nv.us)](https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bill/10055/Text)

Steven Cohen, Subcommittee Chair

Steven Cohen: These are part of a meeting material for the meeting.

1. Discussion Regarding Community Integration and/or Social Services Bills from the 82nd Legislative Session
* AB 133: Driver’s License/Registration Disability Designation - Revises provisions relating to drivers' licenses.

[AB133 Text (state.nv.us)](https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bill/9783/Text)

* AB 135: Homelessness Vital Records Access - Revises provisions relating to homelessness.

[AB135 Text (state.nv.us)](https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bill/9785/Text)

* AB 161: Driver’s License/Registration Disability Designation - Revises provisions governing the identification of persons.

[AB161 Text (state.nv.us)](https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bill/9831/Text)

* AB 195: Inmate Integration Driver's License Access - Revises provisions governing certain fees for drivers' licenses and identification cards

[AB195 Text (state.nv.us)](https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bill/9905/Text)

* AB 252: Accessible Museums - Revises provisions relating to governmental administration.

[AB252 Text (state.nv.us)](https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bill/10015/Text)

* AB 302: Inmate Integration Driver's License Access - Revises provisions governing state-issued identification.

[AB302 Text (state.nv.us)](https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bill/10148/Text)

* AB 528: Homelessness San Antonio Model - Establishes a program to provide matching funds to certain qualified projects related to the prevention of homelessness and provision of assistance to persons who are experiencing homelessness.

[AB528 Text (state.nv.us)](https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bill/10628/Text)

* SB 422: Emergency Management - Revises provisions relating to public safety.

[SB422 Text (state.nv.us)](https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bill/10431/Text)

 Steven Cohen, Subcommittee Chair

Sondra Cosgrove: AB 528 was the emergency bill put in the Saturday before the session ended, and it was presented by Jeremy Aguiro, and was a three-hour hearing. After it had the initial hearing, they didn't hear much until it got signed.

When they looked at it and it said there could be up to $200 million going towards homelessness, obviously many of them wanted to know exactly what the bill said.

Opportunities for community input.

After reading the bill many of them were very worried about the fact that the money is going to be given to a private nonprofit.

So instead of it going to the counties or municipalities or some other government agencies, what it says is a private entity that forms a 501(c)(3) like a normal education nonprofit, that has $75 million they can contribute of private dollars they can then leverage that with a match from the state of $75 million.

They can go up to $100 million to receive the match.

From there, it then lists out that this private entity will address workforce development issues, some mental and behavioral issues, housing issues, related to homelessness.

But it's very vague.

It says that one of the goals is to make sure people are not going to be on social services for their whole lives and be productive community members.

When she went through and tried to figure out what exactly are they going to be doing for people with disabilities, with people who have mental illness it's not clear at all.

And as far as reporting, once the money is transferred over to this private nonprofit, it just says it's a nonprofit will give a report to the Executive Director of the governor's office of economic development on a quarterly basis.

It doesn't say whether those reports are going to be public or whether they're going to be posted anywhere.

It's very concerning to her to have almost $100 million of public funds going to a private nonprofit and this nonprofit won't go to Interim Finance or Legislative Commission or give anything to the Legislative Counsel Bureau (LCB).

It doesn't even say they have to report back to the legislature.

She thinks there needs to be a conversation with county commissioners or city councilors to see if they can speak to whoever is going to oversee disbursing this money to find out if there will be opportunities for community members to have input and to at least get those reports that will be given to know what they are doing with the funds.

They are assuming it's going to be the gaming industry in Clark County because the Wynn Foundation has been working on homeless issues and just had a big panel discussion about three weeks ago.

But if that's the only group in the state that has up to $75 million to put down on the line to say they want to do a match, that could also mean only Clark County is going to get that money.

That Washoe and none of the rural counties will get the money because they don't have a private entity to leverage the public match.

Steven Cohen: The other bills in this agenda item have been covered previously.

1. Discussion Regarding Elections Bills from the 82nd Legislative Session
* AB 242: Elections Access for Persons with Disabilities - Revises provisions relating to elections

[AB242 Text (state.nv.us)](https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bill/10000/Text)

* AB 246: Elections Language Access (including American Sign Language) -
Revises provisions governing elections.

[AB246 Text (state.nv.us)](https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bill/10004/Text)

* AB 286: Elections Incarcerated Voting - Makes various changes relating to elections.

[AB286 Text (state.nv.us)](https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bill/10096/Text)

Steven Cohen, Subcommittee Chair

Steven Cohen: This item was addressed at the prior meeting.

1. Discussion Regarding Executive Branch Reorganization Efforts from the 82nd Legislative Session
* SB 431: Executive Branch Reorganization - Revises provisions relating to governmental administration.

[SB431 Text (state.nv.us)](https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bill/10447/Text)

Steven Cohen, Subcommittee Chair

Steven Cohen: This bill passed ultimately because the Chair of the Senate Government Affairs Committee, Senator Flores, said the governor already had the power to do the one thing that was removed initially before, there was a proposal to have cabinet secretaries.

For example, Voc Rehab would have been reporting to the Secretary of Education and Workforce if it passed.

Those secretary positions were removed before the end of the session, to almost nothing.

Sondra Cosgrove: There were some reorganizations of DETR that stayed in there.

And some other things related to unemployment.

And then criteria for how they hire and promote people within the system and the State.

Dawn Lyons: Thanked Steven Cohen and Sondra Cosgrove for going back over that and providing clarification because of many deep discussions about that in previous meetings because of the implications for moving Employment First forward, a few other initiatives that SILC is working on and a few other organizations, including the DD council.

Several different places and people are working on making improvements.

That was something that the SILC was watching closely and seeing how that would affect things and it even affected the Commission on Services for People Who are Deaf which that portion was taken out of the bill as well.

So it's good to know that at least it was possible to have the discussion about what it was, remind everybody what was talked about, where it went from there and where it's at now.

Drazen Elez: There was some talk about potentially the reorganization, however, from the last week of the session, all that language from the bill was crossed off and the only things left are the ones that had to deal with Division of Human Resource Management (DHMR) changes.

There are no other changes regarding the name change of the department or the structure of the division of the department.

1. Discussion Regarding Foster Care/Guardianship Bills from the 82nd Legislative Session
* AB 255: Foster Care Disability Support Expansion - Revises provisions governing adoption. This was the only successful bill to be passed. This bill provided that if families adopted a child with disabilities, they could get funding and change that was made allowed that funding to end at the person's 19th Birthday so the end of their 18th year.
* Steven did have a question during that process of whether how they are going to capture people that stay in school until they're 22 so that will be something to work under in the interim.

[AB255 Text (state.nv.us)](https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bill/10019/Text)

* AB 446: Minor Guardianships - Revises provisions governing guardianship of minors. This bill was not passed.

[AB446 Text (state.nv.us)](https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bill/10445/Text)

* AB 453: Foster Care Disability Support Expansion - Revises provisions governing the adoption of persons with special needs. This bill was not passed.

[AB453 Text (state.nv.us)](https://www.leg.state.nv.us/App/NELIS/REL/82nd2023/Bill/10461/Text)

Steven Cohen, Subcommittee Chair

Steven Cohen: The only bill that was passed, was AB 255.

1. Discussion and Make Possible Recommendations Regarding Legislative Priorities to Carry Forward During the 2023-2024 Interim and/or 83rd Session and Assignment of Research for Each Topic **(For Possible Action)**
* Employment First

Dawn Lyons: If anyone is interested in the Employment First committee meeting, they can reach out to her.

* 700 Hour Program

Steven Cohen: That was a special hiring authority similar to Schedule A for the federal government that allows people with disabilities to receive priority consideration for state employment for a period up to 700 hours. One of the issues with it is that theoretically, someone could end their employment on a Wednesday and if they have not converted to a permanent probationary employee by that point, their employment would end.

There is also the larger issue surrounding mental health and disabilities, stigma is a better word, he asked Drazen, for an updated number,

Drazen Elez: The employment rate of the 700-hour program is higher than their general employment rate of their general cases.

So, a program that is much more successful than their general Vocational Rehabilitation program.

Dawn Lyons: That’s really encouraging to hear that the 700 Hour Program employment rate is more successful than regular Vocational Rehabilitation programs.

She is also interested in the numbers, such as what is it that makes the 700 Hour Program so much more effective than the regular Vocational Rehabilitation employment program?

* Bullying/Integration Exclusion in K-12 Schools, including, but not limited to Cameras in Special Education Classrooms

Steven Cohen: There was a news program on this agenda item several weeks ago where students with disabilities in the PACE program, from a particular school in Southern Nevada were excluded from that school's yearbook.

The remedy that was offered was a refund of the purchased the yearbook.

He is working with the Department of Ed currently to rewrite the training such as the training for all school personnel to make it more broad and more inclusive.

Because this was the principal who made that remedy request at that school.

Dawn Lyons: Suggested that people can reach out to be included in workgroups that they are interested in. They can reach out to Dawn and Steven.

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* Supported Decision Making
* Mobility Device Right to Repair
* Americans with Disabilities Amendments Act (ADAAA) Titles I and II Compliance Audit
* Elections Language Access
* Disability and Intersectionality
* State Public Bodies’ Diversity and Disability
* Legislative Open Meeting Law and/or Annual Sessions
* Assistive Technology/Independent Living (AT/IL) Program Designated State Entity (DSE)
* Nominations From the Floor (Including Public)

Steven Cohen, Subcommittee Chair

1. Discussion and Make Possible Recommendations Regarding Next Meeting Agenda Items and Meeting Date of Thursday, December 14,2023 at 1:00 p.m. **(For Possible Action)**

Steven Cohen, Subcommittee Chair

Mobilizing workgroups

People with agenda ideas can reach out to Dawn.

Items from agenda item number 20 that have not been discussed.

1. Public Comment

(No action may be taken upon a matter raised under public comment period unless the matter itself has been specifically included on an agenda as an action item. Comments will be limited to three minutes per person. Persons making comment will be asked to begin by stating their name for the record and to spell their last name and provide the secretary with written comments.)

Dawn Lyons: Assemblywoman Brown May is going to have a solicitation stakeholder input or disability forum on Monday, July 17, at 1:00pm. People interested in going and telling her about issues they would like to see moving forward in legislature for the disability community, reach out to Dawn or Steven and they can provide the link or the invitation to participate.

Steven Cohen: Regarding the Vote Nevada initiative, the time for that July 17, 2023, forum had changed, it’s going to be at 10:00am. The focus will be on the aged, blind, and disabled community. The other ones in August and October have been canceled and so the next one will be in December.

Sondra Cosgrove: On July 17th, there will be a session through Vote Nevada on the “Nothing about us without us”. Just as a panel discussion to make sure that topic is introduced to the public. She would like to do follow-up Zoom workshops on that, especially after people are not traveling quite as much in the summertime. Everything they go over during the summer will be recorded and on the Vote Nevada blog for people to watch if they don’t have the opportunity to to attend in-person. Vote Nevada Blog: <https://vote-nevada-blog.org/>

Steven Cohen: On Wednesday August 2nd, Thursday August 3rd, and Saturday the 5th, at 6:00 pm, he and Dora will be having workshops on what accessibility means and have three topics including:

1. Education as recruitment
2. Surrounding physical structures
3. Websites

Dawn Lyons: Thanked all the presenters for their time and their presentations. If anyone has any questions, they can reach out to Dawn or Steven.

1. Adjournment

 Steven Cohen, Subcommittee Chair

This meeting adjourned at: 3:00 pm

 **NOTE:** We are pleased to make reasonable accommodations for members of the public who have disabilities and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify Wendy Thornley at (775) 220-7941 as soon as possible and at least five days in advance of the meeting. If you wish, you may email her at wthornley@adsd.nv.gov According to NRS 241.020, supporting materials for this meeting are available at 3208 Goni Road, Building I, Suite 181, Carson City, NV 89706 or by contacting Wendy Thornley at (775) 220-7941 or by email at wthornley@adsd.nv.gov

***Agenda Posted at the Following Locations:***

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