

Disability Legislation Update as of May 11th, 2015

AB5. This bill requires the Division to give preference to potential providers of jobs and day training services who will employ persons with intellectual disabilities or persons with related conditions at or above the state minimum wage. Sponsored by Assembly Committee on Health and Human Services. Amended and passed out of Assembly Health and Human Services, then pulled from the floor and sent to Assembly Ways and Means. Scheduled to be heard in Ways and Means on May 14th.

AB6. Removes \$36,000 cap and removes requirement that in order to be paid by private insurance paraprofessionals must be certified by the state as CABIs. This bill was heard on March 6th. After back and forth with the insurance companies and the Insurance Commissioner, the bill was amended to include a new cap that is twice the previous cap. The bill passed as amended out of the Assembly. The bill was heard May 13th in Senate Commerce and was voted out of committee same day.

AB29. This bill requires facilities to register with Aging and Disability Services Division to provide jobs / training and prohibits the use of aversive interventions except under specific circumstances and requires such facilities to make a report when restraints are used. This bill passed out of the Assembly and the Senate without amendments. and was approved by the Governor. It becomes effective March 26, 2015.

AB91. This bill expands the list of persons authorized to file an application for the emergency admission of a person alleged to be a person with mental illness to facilities and the release of persons deemed not to be mentally ill. This bill is sponsored by Assemblywoman Benitez-Thompson and was amended and passed out of Assembly Health and Human Services. The bill has been heard by Senate Health and Human Services but has not yet been voted out.

AB 128. Creates a durable power of attorney for healthcare decisions to be used by adults with intellectual disabilities. Heard in Assembly Judiciary on 2/23. Opposed by Mark Olsen in Las Vegas. Amendments prepared and submitted to the sponsor by Mary Bryant, Jon Sasser and Sally Ramm. Passed out of assembly judiciary with amendments on March 9th. The bill was amended and passed out of Senate Judiciary.

AB157. Revises provisions relating to service animals to only include dogs and miniature horses. Assemblymen Oscarson, Ellison and Goicoechea are the sponsors. Commission supported this bill, it was passed with an amendment in the assembly health and human services on March 13th. Passed both houses. Sent to the Governor's office for signing.

AB200. This bill revises provisions relating to the program funded through the PUC impose surcharge to provide devices for telecommunication to persons with impaired speech or hearing and funds related centers. Preliminary discussion with Chairman and Assemblywoman Benitez Thompson. Supreme Court ruled against PUC, they plan to appeal but have expressed that they are okay with a cap being set. Amended and passed out of Assembly Health and Human Services. In the General File for a Senate floor vote.

AB223. This bill revises provisions dealing with elder abuse to help deal with this growing problem. This bill is sponsored by Assemblyman O'Neill, and will be heard for the first time on March 19th. Amended and passed out of Assembly Judiciary. Passed out of committee by Senate Judiciary. In the Senate General File.

AB292. Requires providers of health care who provide certain services to patients located in this State through telehealth to have a valid license or certificate in this State and other related provisions. Passed out of the Assembly and has passed out of Senate Commerce, Labor and Energy. In the Senate General File.

AB307. This bill expands services for children with intellectual disabilities to include preventative services and the creation of a new wrap-around pilot program. Sponsored by Assemblywoman Spiegel and Assemblyman Ohrenschall. Heard by Senate Health and Human Services.

AB310. This bill expands Medicaid managed care programs in the State. This bill is sponsored by Assemblyman Paul Anderson and was marked exempt from the deadline. Has not yet been heard by Ways and Means.

AB328. This bill makes improvements to the selection and training of hearing officers in special education due process cases between parents and the school district. This bill is sponsored by Assemblyman Elliot

Anderson. Amended and passed out of Assembly Education. Heard by Senate Education.

AB341. This bill mandates enhanced screening and intervention for children with certain disabilities. This bill is sponsored by 16 assembly democrats, and is listed as containing an unfunded mandate. Amended and passed out of Assembly Education. Heard by Senate Education, and will be work sessioned on May 14th.

SB13. This bill deals with IEPs and provides for students with disabilities to receive standard diplomas instead of adjusted diplomas. The original text of the bill removes “best feasible” language to “appropriate,” but Julie Bowers of NDE has submitted the change to allow “best feasible” to remain in the statute. Karen Taycher has agreed with the department on new language for an amendment. Amended to include the good language and passed out of Senate Education. Amended and passed out of Assembly Education. On a second reading in the Assembly.

SB35. Ratifies and enacts the Interstate Compact on Mental Health. This bill has passed in the Senate with support from the ACLU and the National Alliance on Mental Illness. Passed in Assembly Health and Human Services.

SB62. Among other revisions, authorizes the State Personnel System Commission to adopt certain regulations relating to state employees with disabilities and applicants for positions affecting public safety. Passed out of the Senate and heard in Assembly Government Affairs, scheduled again for May 14th.

SB132. This bill requires paraprofessionals working with students with disabilities receive necessary training. This bill is sponsored by Senator Kieckhefer and was heard by Senate Education on February 19th and re-referred to Senate Finance with exemption where it has not yet been heard.

SB177. The “CARE Act.” This bill allows a person to designate a caregiver when admitted to a hospital or in an advance directive. This bill has been heard once by HHS on February 25th. The Commission unanimously supported this bill and was joined at the table by many other organizations. This bill has been passed as approved by the Governor.

SB248. This bill provides that a person with a physical disability or an inability to read or write English is entitled to assistance in casting a ballot in an election. This bill has passed out of the Senate, and is on the second reading in the Assembly.

SB334. Proposes to exempt sales of certain durable medical equipment, mobility-enhancing equipment, hearing aids, hearing aid accessories, and ophthalmic or ocular devices or appliances from sales and use taxes and analogous taxes. Passed out of Senate and has been heard by Assembly Taxation.

SB419. Creates a Nevada ABLE Savings Program within the Aging and Disability Services Division to provide services of independent living and assistive technology for persons with disability; Revising the terms of members of the Nevada Commission on Services for Persons with Disabilities. Passed out of Senate, and passed out of Assembly Health and Human Services committee.

Bills that died by not making the April 10th deadline day:

AB38. Revises provisions governing the admission of persons with certain mental conditions to and the release of such persons from certain facilities. Died.

AB284. This bill requires students with disabilities to take an adaptive behavior assessment and expands programs and referrals for students with autism spectrum disorders. The bill is sponsored by Assemblywoman Woodbury and is labeled as containing an unfunded mandate. Died.